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REPUBLICAN PARTY PRINCIPLES—II

OUR FOREIGN POLICY

By HON. HENRY CABOT LODGE

PUBLIC attention quite naturally has been very generally absorbed by the coal strike and the railroad strike, which concern not only a great necessary of life but affect the entire movement and machinery of daily existence. For the time being they have pushed aside consideration of the political and economic questions which the voters of the country will be obliged to consider during the next three months. Those questions, however, are of very great moment and ought not to be forgotten or passed over. In the political field domestic questions like the revenue bill, the tariff, and the ship subsidy bill, so strongly urged by the administration, have been occupying the public attention and will undoubtedly continue to do so until the day of election, but it will be both a mistake and a misfortune if owing to the presence and the insistence of these domestic questions all that concerns our foreign policy is forgotten or overlooked. Not only is the general condition of business affected by that policy as a matter of course, but the financial and political situation of Europe and the future peace of the whole world are in some measure involved. Therefore it is well to bring

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forward and insist upon the achievements of the present administration in the domain of international relations.

It would be difficult to find a year in the history of any administration, if we except those when the country was actually engaged in war, which in the wide region of international relations have surpassed in actual accomplishment the work of the present administration since the 4th of March, 1921. Within that period we have settled our differences with Colombia and secured from Colombia the recognition of the Republic of Panama, thus extinguishing a question which was always troublesome and which if other difficulties arose elsewhere might readily have become threatening.

We have also made a formal peace with Germany and with what remains of the Austro-Hungarian Empire. Actually war had ceased with the armistice, but the technical state of war continued until these treaties were made, and a technical state of war is never a wholesome condition of international relations. The making of the formal peace, therefore, with the two countries with which we had been at war had a stabilizing effect on the general European situation and on the financial conditions of the world. These two treaties were in a high degree favorable in their terms to the United States. We not only made peace, but Germany and Austria both agreed to the payment of American claims against those two countries and that we should be at liberty to take advantage of any provision in the treaty of Versailles, which we thought advantageous to us, if we desired to do so.

Then came the Conference summoned by the President at Washington. Congress passed a resolution requesting the President to enter into negotiations with Great Britain and Japan in regard to the reduction of naval armaments, but the President very wisely extended the scope of the Conference to questions arising in the Far East. The Conference met on the 12th of November last. It was in session three months, made six treaties and passed a number

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of resolutions chiefly for the benefit of China. The most important treaty was that known as the Four Power Treaty, between the United States, Great Britain, France and Japan. It related to the Pacific Islands, controlled by those four Powers. It provided that they should respect each other's rights in the islands and if controversies arose they should be the subject of conference and consideration before any action was taken. The last clause provided for what was the most important result of the treaty, the termination of the Anglo-Japanese Alliance, when the Four-Power Treaty was ratified by all the signatories. This treaty is in no sense an alliance. It does not bind any Power to do more than discuss these questions, whether arising from controversies among themselves or from the interference of some outside Power. This is all the treaty says and all it intends; but as some suggestion was made that under Article II, referring to the interference of other Powers, it might be possible that we should find ourselves in some way morally bound, the Senate added a reservation, as follows:

> "The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense."

In the opinion of the makers of the treaty the reservation was not necessary, because in their judgment that was the clear meaning of the treaty in any event and the signers did not believe it could be twisted into any other meaning. There can be no doubt that the termination of the Anglo-Japanese alliance was of the utmost importance to the future peace of the world. The Four-Power Treaty and the Supplementary Treaty, defining the islands included in its provisions, constituted two of the treaties made by the Conference. This was the most important part of the work of the Conference in its effects and made possible the subsequent agreement between the five Naval Powers, the United States, Great Britain, France, Italy and Japan, as to the reduction of naval armaments. Within the limits of a

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necessarily brief review of the work of the Conference, it is impossible to go into the details of this very complicated treaty, but it is sufficient to say here that it reduced very largely the number of capital ships for each nation. It stopped any further building of capital ships except for replacement and limited the calibre of the guns to be used and the tonnage of the vessels. In this way not only are large reductions made and the burden of naval armaments greatly decreased, but naval competition is brought to an end. The naval treaty also contained an agreement not to fortify the islands of the Pacific, with certain enumerated exceptions.

In conjunction with the naval treaty was a treaty limiting the use of submarines and prohibiting their employment for the destruction of merchant vessels. All the nations present joined in the declaration that any commander of a submarine sinking a merchant vessel in disregard of the rules of international law, which were recited, should be held to be a pirate and subject to the consequent personal punishment awarded by all nations to the crime of piracy. In this treaty also was contained a clause inviting all nations to join in the prohibition of poisonous gases in war.

Two Chinese treaties completed the number of six which represented the total work of the Conference. One of these treaties arranged for a new tariff for China, calculated to give her a much larger revenue than she now is enabled to derive from that source, and the other was an agreement among the signatory powers to recognize China's political and territorial integrity, and was otherwise devoted to the maintenance of the open door and the prevention of special rights to be acquired by any of the signers. In addition the Conference passed several resolutions, as has already been said, which will be very beneficial to the liberation of China and the establishment there of a strong and generally recognized free government. By these resolutions foreign post offices in China were abolished, the abolition to take effect within a year; provision was

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made for investigations which would lead to the extinguishment of the extraterritorial jurisdiction, and some other minor resolutions of less apparent importance, but all beneficial to the Chinese Republic, were adopted. The advance thus made in helping China to a stable government and thereby settling a number of outstanding and irritating questions was a service to the general peace of the world of very great moment. We have had no international agreement which has practically accomplished as much for the peace of the world as the work of the Conference which met at Washington, although it applies only to the Far East and to the Islands of the Pacific. These treaties have been ratified by China, Japan, Great Britain and the United States and only await the action of the other powers, which no doubt will soon be taken, for the exchange of ratifications.

There were also some important treaties, not made by the signatory powers of the Conference, but growing out of the Conference, which were quite as valuable as those which the members of the Conference signed themselves. One was the treaty between Japan and China, which was due to the good offices of the United States and Great Britain and by the terms of which Japan withdrew from Shantung and thus wiped out the unfortunate agreement in regard to that great province which appeared in the treaty of Versailles. Another treaty was that between the United States and Japan which settled the questions in regard to cables, growing out of the possession of the Island of Yap, and the Japanese mandate for the former German islands in the Pacific, north of the Equator. These two treaties, each having only two signatories, have been not only ratified, but ratifications have been exchanged. They are now in effect and the Japanese troops are being withdrawn from Shantung.

Since the conclusion of the Conference the representatives of Chile and Peru have met in Washington and through the good offices of the United States and the very

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able diplomacy of Secretary Hughes, have reached an agreement which it is believed will put an end to that long-standing difference between these two important nations on the West Coast of South America. This has been comparatively little noticed perhaps in this country except by persons who closely follow our foreign relations, but there have been few negotiations affecting South America which have had a greater importance than this agreement which has just been completed between Chile and Peru.

It is also to be noted that this administration has provided for American representation on the commission which is to investigate and if possible bring to an end the hideous conditions created by the Turks in Northern Asia Minor. Wherever the Turks have power there are massacres and the destruction of populations seems certain to follow in their footsteps. There never has been a worse example than that now shown in Anatolia, Armenia, and the Northern part of Asia Minor. It is too early to predict how much will be accomplished by this commission, which represents Great Britain, France, Italy and the United States, but it is at least a beginning of serious efforts to endeavor to put an end to the outrages which give such a tragic and sinister significance to events on the southern shore of the Black Sea.

Under this administration also, very recently, the United States has recognized the Republics of Esthonia, Latvia, Lithuania and Albania,—a real service to the settlement of some at least of the evils which beset Central Europe.

This is but a brief statement of what has been done by the present administraton in the great field of international relations, but anyone who reviews it dispassionately will see that we shall look far, as has already been said, for any administration which during the same period has rendered such large and conspicuous service to the welfare of mankind and to the security of the world's peace.

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LIVING WITHOUT THINKING

By GEORGE SANTAYANA

A LEARNED man is apt to overestimate the scope and importance of the subject in which he happens to be versed, but Professor Watson in his "Psychology from the standpoint of a Behaviorist" rises entirely above this prejudice. In fact, he runs to the opposite extreme and seems to reduce his subject to a modest minimum. Thinking, according to him, is simply "subvocal" speech, feeling is visceral effervescence, character is bodily habit, nothing goes on in any man not essentially observable by others, and psychology gathers only statistical laws of behavior, because there is nothing else in human life to discover.

Does Professor Watson, then, deny the existence of the human mind? It would seem so, if we take him at his word; yet, I hesitate to attribute that opinion to him and this for two reasons. One reason is verbal. He does not deny the existence of mind in his own sense of the word "mind," but only in the sense which everyone else gives to it. This is an old trick of reformers who are more conservative in their vocabulary than in their ideas. When they are on the point of discarding something that has a familiar or a hallowed name, they hasten to transfer that name (lest it should be missed in their works) to some other object in which they still believe. In this way, the words God, freedom and immortality may come to mean almost anything in the mouth of a philosopher. In the mouth of Spinosa for instance, one of the greatest and most honest of them) we may almost say that immortality meant mortal-

*"Psychology from the Standpoint of a Behaviorist," by John B. Watson, Professor of Psychology, The Johns Hopkins University, Philadelphia and London; J. B. Lippincott Company, 1919.

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ity, freedom meant necessity, and God meant matter. This sort of equivocation is a consequence of the fact that modern philosophy is theology attenuated rather than science filled out. Of late years, the Pragmatists, instead of announcing boldly that there is no such thing as truth (which is what their doctrine amounts to) have maintained that truth is verification; and the New Realists, whose system excludes the existence of consciousness, have preferred to say that consciousness is that portion of the material world on which some animal is reacting. In strict logic, nothing can be anything else; but we all commonly say that a table *is* wood, or that sound *is* vibrations, meaning that such is the substance or the origin of these objects. Such slippery use of language is inevitable and involuntary but it becomes confusing when we try to reflect or venture to dogmatize.

If Professor Watson, without transferring the name of thought or of feeling to anything else, should be satisfied with asserting that their entire basis is found in bodily habit and that only this bodily habit can be perceived externally or can be caught in the net of science, I for one should heartily agree with him. Perhaps this is really all he claims; for he assumes that if mechanisms enough could be discovered running on while we think, his case would be proved. I believe that such sufficient mechanisms exist, and that they do all the work and even do the thinking, although they are not the thought. The larynx does the talking, the ear and brain receive the consequent vibrations; but I mean and hear what I am saying and therefore I am a mind as well as a body.

In the effort to remember or express my thoughts, or to imagine those of other people, I am consequently driven to indulge in quite another sort of psychology, very far from scientific. A picture of human experience rises before me (called up and carried no doubt by my verbal habits) a sort of autobiography of man or universal historical novel, composed and recomposed continually. It starts with scraps of reminiscense in which conversation abounds; it goes on

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to find dramatic expressions for what various persons have felt, might feel or ought to feel; and it ends in formal history, theology, poetry, and fiction. Such literary psychology, in a warm sympathetic mind, may become very exact and very plausible; but there can never be any evidence that it literally reproduces anything that has ever existed before. The interest of it does not lie in its fidelity to actual facts, but in its inward humor and vitality. Who cares whether Cleopatra in Shakespeare utters the actual sentiments which that mummified queen of Egypt may have uttered when alive? The truth of literary psychology is graphic truth, like that of William James's descriptions of experience, or of Bergson's appeal to our fundamental sense of merely existing and lasting, in the midst of infinite vibrations and a universal flux. We applaud such expressions of experience when we feel that they hit off just what we might imagine ourselves feeling under the pictured circumstances. Of course, there is nothing scientific or final about them, and the next literary psychologist will naturally express things differently, though perhaps no less truly. Eloquence, reflection, pleasant conversation, and witty fiction can refine sentiment and fancy in all of us, as the fine arts can refine the senses. They kindle in us those high lights of thought which alone are communicable or worth communicating. Literary psychology, though not a science in method, constitutes our knowledge of the human mind and of the moral world. I should accordingly learn, if I could, my scientific psychology in Professor Watson's school, and accept the limits which he sets to it; but for my insight into what goes on in people's mind I should turn to my private experience, to the novelists, to the poets, and to the ladies.

The other reason why I should hesitate to affirm that Professor Watson denies the existence of the human mind goes much deeper and involves the whole confused heritage of modern philosophy. Although he disparages philosophizing and disregards the problems involved in his own doctrines, I am convinced that he could never have reached

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these doctrines nor accepted them, if he had not tacitly assumed a general philosophy and one which, in my opinion, is false. This philosophy is that species of idealism or empiricism which teaches that experience is identical with its objects. Professor Watson is very wide awake and he makes no bones of assuming that the rest of us also see, hear, and feel as he does; otherwise he could not appeal to us to accept the evidence of scientific psychology proving that all we know of ourselves is the way we behave. We do, then, observe ourselves and others behaving; and this antecedent wakefulness or lucidity on our part, which surveys all things so grandly, is presupposed throughout. We must be minds, if we can come to the conclusion that we are only habits in matter.

Professor Watson, I should say, is implicibly an idealist; he fuses the light of thought and the actuality of experience with all the objects which he mentions and which he only *seems* to regard as existing materially. He does not need the human mind in his world because his world is already in the human mind: as at the theatre we need not be addressed by the actors or be admitted on the stage in order to know what is going on, because the whole play is addressed to us from the beginning, and is only a play. If it were real life, this clairvoyance on our part would be impossible: we should not dominate the scene, but should see it, at best, as the characters themselves might, each with his perspective and limitations. And then it would be indispensable that the actors should not be puppets but should have minds of their own: an invisible item which, so long as we were spectators on the other side of the footlights, did not concern us, and might be non-existent.

Apart from these technical questions I find Professor Watson's book impressive and almost ominous. In its style, illustrations, humor, and outlook it has a very strong American flavor. We catch glimpses of a breezy, active, healthy, sensible society. Everyone works, everyone helps, everyone typewrites. Indeed, the chief test of proficiency, and

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of behaviorist psychology, seems to be how many words an hour, for how many hours, a person can typewrite without error. It is evident that what recommends this science especially is the use in organizing work and in getting as much work as possible out of everybody. A wonderful future seems to open before us, in which everybody will be wound up to do a great number of things, always the right things, all of them perfectly, and all of them on time. We can almost see Congress hypnotized by the "laryngeal activity" of some professor of behavior, and decreeing how many human animals shall be bred to cotton-picking habits, how many shall be turned out as living gramophones (popularly called singers) how many as sub-vocal talkers (popularly called thinkers), and when each shall be set to fall in love, and when to run down smoothly and die. For we learn that if only the right situation is arranged, such habits as may be wanted can be established at will; and there is no such thing as fatigue, only, efficiency temporarily reduced, and easily restored after short intervals of organized rest.

I foresee a behaviorist millennium; countless millions of walking automatons, each armed with his radio, will cross and recross a universal telephone exchange, all jabbering as they have been trained to jabber, never interferring with one another, always smiling, with their glands all functioning perfectly (which *is* happiness) and all living to a sunny old age, when instead of vocal behavior before one another, or sub-vocal arithmetic at a desk, they will separately indulge in pedal behavior before a pianola, or will typewrite, at the vertiginous rate of life-long experts, pages and pages of short lines (which *are* poetry). Truly a wonderful exhibition, which for all I know might last forever. But alas! I was never brought up to behave, and when I *think* of that exhibition, my ill-regulated language-habit leads me sub-vocally to add these two syllables: what for?

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THE SOVIET NEWSPAPERS

By LEO PASVOLSKY

BY some twist of luck I happen to be one of probably very few persons in the United States—in fact, in the whole world outside of Russia—who have the opportunity and the patience to read more or less regularly the Soviet press, *i.e.,* the newspapers published in Moscow, Petrograd, and other cities of Soviet Russia. Not only are these newspapers hard to get, but they are very difficult to read intelligently and, consequently, with interest, unless one has followed consistently all the intricacies and numberless ramifications of the communist experiment in Russia. Paper is too scarce and time is too precious in Soviet Russia to be wasted either on elaborate explanations or on sufficiently frequent summaries.

I have been reading these newspapers for the past three years. The Moscow newspapers are as familiar to me as is the *New York Times,* which I read religiously every morning, or the *New York Evening Post,* which I read—not quite so religiously—every evening. For this reason, perhaps, it is a matter of particular interest to me to watch the reactions of those of my friends and acquaintances who have a reading knowledge of the Russian language, when I show them these Soviet newspapers for the first time.

Every person who had never before seen a Soviet newspaper invariably experiences a shock of astonishment, a sort of a puzzled feeling, which is succeeded by veritable bewilderment, upon reading through a few numbers. No matter what their feelings toward the Soviet régime and toward communism in general happen to be, all those with whom I have attempted this experiment inevitably show signs of complete amazement.

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I can readily understand their feelings, when I recall my own early experiences with the Soviet newspapers. The first time I obtained a really thorough look at these newspapers was in Paris at the time of the Peace Conference. The borders of Soviet Russia were then tightly closed, and very few copies of the papers found their way outside. Quite by accident I stumbled into several bundles of Petrograd and Moscow newspapers in the Russian Division of the American Commission to Negotiate Peace, and after obtaining permission to go through them, fell to the consumption of this hitherto unobtainable fruit.

As rapidly as the poor print and the then unfamiliar simplified spelling just introduced by the Bolsheviki would permit, I went through the files of those newspapers. After several hours of this, my head was in a complete whirl. Everything I had heard about conditions in Soviet Russia seemed weak and pale by comparison with what I had read in those newspapers, told by the Bolshevist leaders themselves for their own home consumption.

So eager was I to get the exact text of some of the things I had read in the newspapers, that I obtained permission to have certain articles and extracts copied. In my search for a Russian typist, the only person I could find was an emigré with decided leanings toward Bolshevism. None other was available, and with rather distinct misgivings I set him to work on the papers, anticipating the long and weary hours of comparisons to see that he had not done any "editing." But after a couple of days' work on the papers, my typist rushed over to me, thoroughly aroused and in a state of highest excitement. He was holding in his hand a copy of the Moscow *Izvestiya,* pointing to the items that I had marked for copying the day before.

"Just look at this," he said to me. "I had no idea it was like that. If only half of what they write here about themselves is true, then they are the greatest scoundrels——"

My poor typist could not continue coherently for the excitement that nearly overwhelmed him. I really had a

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great deal of trouble in verifying the copy of that day's work, for my typist's nerves were in pretty ragged condition, and his funny-looking typewriter of some European make could not possibly correct the vagaries of his typing.

Since that time I have learnt to pick apart many of the tricks of propaganda of which the editors of the Soviet newspapers make a distinctive feature of their work. I have become used to expecting the most cynical of self-revelations and the rankest of "muckraking" as a regular part of the Soviet press. And it now almost amuses me to see a novice at the game, so incredulous when I describe these papers to him, react to them with as much violence as his temperament would permit.

II

There are three principal "national" dailies in Soviet Russia, besides a number of smaller publications. What is the general nature of these newspapers, their peculiar make-up, their distinguishing characteristics?

Of the three large dailies, all published in Moscow, each represents a very important phase of the régime for which they serve as the mirror. They are different in appearance, in tone, in degree of extremeness. One of them cannot be substituted for another, because there is very little duplication. They really supplement each other, and it is often difficult to read one without reading the others since they abound in cross-references back and forth and in most violent and involved discussions and altercations.

The largest and the most important of the three is *Pravda,* which means "the truth." It is the official organ of the Central Executive Committee of the Russian Communist Party, which is the real ruling group in Russia. In tone and in manner *Pravda* is the most violent and extreme of the three. It is usually printed on better paper, and oftener than the others has four pages, instead of the customary two. Its first page is taken up by signed articles, dealing with a variety of subjects and written mostly by active communist leaders. Following the articles, are the news of the

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day, presented very briefly and covering really very little ground. It is oftener possible to learn of various occurrences from their discussions in articles, than from actual news reports.

The second in importance is *Izvestiya,* which, in the exact translation of its long and elaborate title, means "the bulletin of the All-Russian Central Executive Committee of Soviets." As its name thus indicates, the *Izvestiya* is the official organ of the Government, since the Committee of Soviets is nominally the highest governmental institution. It is more moderate in tone, much less violent than the *Pravda,* except for the highly excitable leading article by its editor, U. Steklov. It is much "drier," more official than the *Pravda.* It carries, in very small type, all the important official decrees.

The third is *Ekonomicheskaya Zhisn,* the Economic Life. Just as *Izvestiya* is the political organ of the Soviet Government, so *Ekonomicheskaya Zhisn* is its economic organ. Originally it was the official newspaper of the Supreme Council of National Economy and of the Commissariats of Finance, Trade Industry, and Supplies. In the course of 1921, however, when the work of these Commissariats and of all the other governmental institutions dealing with economic matters became co-ordinated under the general supervision of the Council of Labor and Defense, the *Ekonomicheskaya Zhisn* became the official organ of this Council. It is the most moderate in tone and the most serious in manner of the three principal Soviet dailies. It deals exclusively with economic matters, abounds in statistical reports, and is really the most important source of information there is regarding the life of the country.

There are also smaller newspapers in Moscow and in other cities, but, except that in their editorial talent and in technical equipment they are vastly inferior to the three "national" dailies, they conform quite close to the general composite type of the three.

It is not in the external appearance of these newspapers,

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however, that lie their greatest peculiarities. The really important impression one gets, judging the papers externally, is that of shortage of paper, evidenced by the fact that there are usually but two pages to the daily edition and by the compactness of the print. Until very recently the newspapers carried no advertisements, save official notices. They were not for sale, but for selected distribution. The circulation of each was stated on the paper itself. *Pravda* still circulates to the extent of 300,000 copies; *Izvestiya,* 275,000; and *Ekonomicheskaya Zhisn,* 44,000.

The really peculiar interest of the Soviet newspapers lies in their content, in their manner of dealing with the problems of the domestic affairs and in their tone in the presentation of the general world situation.

III.

If you read the Soviet newspapers for any week, consecutively from day to day, you get the impression that everybody connected with the Soviet régime is either a thief, or a grafter, or something even worse. All the officials take bribes or engage in some sort of illicit operations in contravention of the laws of their own government. None of them is efficient or even conscientious. None of them seems to be at all careful of what he is doing. There is not the least co-operation among the various departments. Somebody is always accusing some department of inefficiency, or carelessness, or criminal negligence. Then somebody else comes back and defends the department that is being attacked. And this goes back and forth all the time, while almost every article either expresses or implies an utter amazement that, with things as they are, some inexplicable miracle still keeps the régime in power.

Reading these papers you sometimes forget yourself and begin to marvel at the freedom of the press that there is in Soviet Russia. Surely there is not a country on earth in which such attacks on governmental departments, institutions, and officials would be tolerated. In the freest of

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countries men would be brought into libel courts or thrown into prisons for writing a hundredth part of what these Soviet newspapers publish. But after you have gone far enough in this growing admiration for the frankness and the apparent daring with which the Soviet newspapers denounce and attack their own government, you catch yourself:

"But good Lord! These are not opposition papers. These are the official organs of the very government that is being 'muckraked' in them. What they write, they write about *themselves*. The dirty linen they thus flagrantly display in public is their *own* linen."

And then you begin to wonder, not at the frankness and the daring of the Soviet publicists, but at their utter, unprecedented, almost inconceivable cynicism, at the sheer indecency of the thing, when you regard their writings either from the readers' or from the professionally journalistic viewpoint. And apart from this, it must be remembered that the men who write in these newspapers are all officials in the very government and the very institutions about which they write. Personally, when I envisage this aspect of the situation, I always think of how much preferable is the scoundrel who at least does not stand on the street corner and calmly relate to all those who care to listen to him just what sort of rascality he and the others who are working with him are doing at that particular time.

The opponents of the Soviet régime are often accused of maligning that much discussed régime. But can any critic or even maligner of the Soviet régime ever think out such a perfect piece of "muckraking" as, for example, an article in the Moscow *Pravda* of June 9, 1921, entitled, "The Secrets of the Soviet Industries," and written by U. Larin? The author of this article is a prominent member of the communist party, the former President of the Council of National Economy and now an important member of the Council. He begins his article by saying that if he were to tell all he knows about the state of affairs

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obtaining in the bodies that have the management over the nationalized industries, from the point of view of inefficiency and criminal negligence, the books about the secrets of the Madrid court, which are so popular because of their scandalous content, would pale into insignificance. And then he calmly proceeds to tell some of the things he knows.

Here is another instance. The Moscow *Izvestiya* of October 28, 1921, in discussing the question of the apparently incorrigible looting of the government warehouses, explains that this is due to the fact that those who are put in charge of these warehouses, as guards and superintendents, are so poorly provided for by the government that they cannot exist on their allowance. Unless this is remedied, says the article, "the more honest among them will run away, while those who remain will steal or will take bribes for permitting larger sharks to loot the warehouses." Similarly, in discussing the very important question of the carrying out of the policy of leasing out industrial enterprises, recently introduced by the Soviets as their panacea for the breakdown of industrial production, *Ekonomicheskaya Zhisn* of October 18, 1921, describes the conditions of lease worked out for Moscow. These conditions are such, the official economic organ of the Soviet Government assures us, that the leases will be taken out either by fools or by those who are certain of cheating the Government in the matter of taxation.

It is said by the apologists for the Soviet régime—who must find some way of justifying the course that these official organs pursue—that this frankness is a sign of a sincere desire on the part of the régime to correct the abuses that have grown up. Yet I find that when I compare my notes on any particular abuse for any length of time, say for the past three years, the same complaints and the same accusations are merely repeated over and over again, without anything being apparently done about it. The thing seems to have become a sort of special forensic exercise,

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which makes the official Soviet newspapers of today very much like the small faction organs of any revolutionary party during the imperial régime. Written by the same men, these small factional sheets have merely become expanded into great "national" organs. But their tone and spirit have remained the same. They still must breathe a spirit of uncompromising opposition, and they still cease to be interesting the moment they stop attacking and abusing everything under the sun.

There are other features in the official Soviet organs that make them essentially like the fire-breathing party organs of pre-revolution time. The first is their presentation of the general world situation, while the second is the relative importance they assign to fact and to theory, especially when the latter is a subject of heated discussions and polemics.

I have often wondered what the people in Russia, even the more intelligent among them, must feel about the general state of the world, being compelled as they are to learn about it only through the Soviet official press. I have caught myself on a number of occasions, when laying aside a batch of Soviet papers, feeling a little bit doubtful as to whether or not there is already social revolution in Western Europe and even in the United States. The reports in the Soviet press have so often been insistent on that. I have asked many Russian refugees about it, and one of the answers I received struck me as particularly interesting. A refugee was telling me that he had had several opportunities for leaving Russia, but passed them by, because, as he would say to himself each time, what is the use in fleeing from the social revolution in Russia when it is more apt than not to catch up with you no matter to what country you flee? So great is the hypnosis of the carefully edited propaganda sheets.

On the second point, I remember a number of the Moscow *Pravda* last summer, dividing its first page as follows: the first column devoted to the famine, the fearful

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ravages of which had then just become apparent in all their horror; part of the second column, devoted to a frightful epidemic that was then ravaging many parts of the country; and the rest of the huge sheet devoted to the debates at the Congress of the Third International on the subject of whether or not a certain German communist leader, who had dared to oppose the Central Committee of his party, was a true communist or not.

IV.

As instruments of propaganda, calculated to hypnotize their readers into believing any impossible things they write, the Soviet newspapers are bound to remain veritable monuments of that sort of literature. As channels for the most amazing "muckraking" and of scarcely conceivable cynicism, they have also assured for themselves a more or less lasting fame—or infamy. But when we cast both of these aspects aside, there still remains another: the Soviet newspapers are today the most important sources of information about the communist experiment in Russia, and historically will have an even greater importance in this regard.

The apologists for the Soviet régime, again in order to defend some of the startling features of the Soviet press, claim that much of what they write in the way of adverse criticism is deliberately exaggerated for definite purposes. For instance, when the government wants special efforts to be put into the work of railroad repair, the newspapers publish all sorts of exaggerated stories about the catastrophic character of the state of transportation in Russia. Consequently, claim the apologists, nothing that is published in the Soviet newspapers as unfavorable to the régime should be taken as a true picture of the situation.

There is no doubt that there is some truth in this assertion. To distinguish between the true statement of facts, the deliberate exaggerations for effect, and the natural tendency of the Soviet publicists to criticise most violently

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everything and everybody is not the easiest thing in the world. And yet it can be done and is being done by persons who are sufficiently interested in the Russian situation to give it the careful study and attention that its magnitude and ramifications warrant.

Here is an excellent illustration of this point.

The Moscow *Pravda* of October 19, 1921, gives an official report on the amount of foodstuffs gathered by the government for the period ending October 1, 1921, in comparison with the corresponding period of 1920. In 1920, under the system of requisitions, the government plan called for the delivery to the governmental food-gathering agencies of 416 million pounds of foodstuffs. The amount actually delivered was thirty-six and a half million pounds, or 8.8 per cent of the amount expected. In 1921, under the system of food tax, the government plan called for the delivery of 202 million pounds, and the actual deliveries amounted to a little over thirty million, or 15.2 per cent of the expected amount. Now, it is clear, of course, from the mere comparison of the two figures of actual deliveries, that the amount of food gathered by the government in 1921 was only five-sixths of the amount obtained in 1920, yet the report chooses to compare merely the two percentages and states:

"Therefore, the success in obtaining foodstuffs by means of the food tax is twice as great as by means of the requisitions."

This is a rather striking illustration, but it shows clearly the sort of scrutiny that makes it possible to cull out of the Soviet official press the most extensive body of data on the situation in Russia that can be obtained from any source. The explanation of the report concerning the success and the relative merits of the two systems of food gathering is obviously propaganda. But the two figures of actual deliveries, thirty-six million for 1920 and thirty million for 1921, are facts, which, incidentally, cannot be obtained any other way, except through these official organs, which serve

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as the clearing houses for the official information of the governmental departments and institutions.

The "muckraking" and the cynicism of the Soviet official press usually disgust me. Its propaganda either amuses or exasperates me. Yet I read these papers with unflagging interest and attention, for they unfold to me, more clearly than anything else could have possibly done, the picture of the most tragic, yet fascinating, drama in the history of the world, which goes under the name of the Russian communist experiment.

A LADY SEATED

By ISIDORE SCHNEIDER

She makes a flower of her hair,
A knot of candid symmetry.

From the driven wavering of her hands
I know the blood scalds her fingertips
And that she is familiar with her breast.

Trees trample past her window
The wind yawns waiting for her doors
Even the daylight darkens like reproof
Solemnly withdrawing from the walls.

The tapering twilight dandles on her eyes
Her lips twang like drowsy birds
And one observes the rootlike slumber of her knees.

The ebbing smile is shallow on her cheeks
A spent diurnity quivers on her hands.
The cloud of her dress has subdued the glamour of her skin.

The drip of minutes perseveres;
She passes through time as through a rain
Maintaining still, her fastidious despair.

Untouched by the likely trivial of her thought
Perfection reaches the casual sculpture of her body.
To see her is an urge to find a death
To tamper with her breadth without the mutilation of awakening,
And subtly petrify her, giving back
To Pygmalion his squandered Galatea.

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ENFORCING THE DRY LAW

By WAYNE B. WHEELER, LL.D.

THE negotiations now pending between the United States and certain foreign countries concerning prohibition enforcement raise the interesting question as to how far the United States is justified in calling upon other nations to co-operate in the enforcement of the laws of our country, and how far the representatives of the United States in foreign countries can properly lend their aid to this effort.

The direct and best method for securing effective co-operation from other countries would be through treaties. This would settle all controversies concerning the rights of these foreign vessels that are bringing beverage liquors into the United States.

The Supreme Court of the United States recently took an advanced step with reference to the enforcement of the Eighteenth Amendment. Our treaties with England and former statutes specifically recognized the right of foreign nations to ship liquor through this country to other nations. It was claimed that these treaties safe-guarded such ships in spite of the Eighteenth Amendment. It was argued that the liquor in question was not to be sold or used in this country and that the shipment through the country was not importation, exportation or transportation as contemplated by the Eighteenth Amendment. The Supreme Court said in the case of Grogan v. Walker, May 15, 1922, U. S. Adv. Op. No. 15, Page 511:

> "The Eighteenth Amendment meant a great revolution in the policy of this country, and * * * upset a good many things on as well as off the statute book. It did not confine itself in any meticulous way to the use of intoxicants in this country. * * * It is obvious that * * * the Amendment meant to stop the whole busi-

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> ness. They did not want intoxicating liquor in the United States and reasonably may have thought that if they let it in some of it was likely to stay."

This makes clear the right of the United States to deal with the liquor traffic as it desires within its jurisdiction.

When we go beyond the three-mile limit on the high seas, the authority of this nation is not so clearly defined. The recent controversy over the sale of liquor on American ships has brought this to the forefront. The former Justice Department ruled that American ships are within the jurisdiction of the United States even though on the high seas and the sale of liquor on such ships is prohibited. It is believed that Attorney General Daugherty will reach the same conclusion in the case pending before him. Much of our difficulty, however, arises from the fact that foreign ships outside the three-mile limit operate as rum-running vessels and furnish the bootleggers on the three-mile limit border with their supply. There are two remedies for this. The first one, suggested by the shipping interests, would prevent any ship from entering our harbors that sells beverage liquor on the high seas. This is considered by some a rather drastic remedy, but it would put American ships and foreign ships on the same basis from the standpoint of liquor sales.

The second is to extend the jurisdiction of this country beyond the three-mile limit. For the purpose of protecting the revenues of our country, we have since 1799 fixed the limit of our jurisdiction twelve miles from the shore. Other nations have extended the limit various distances. Norway in September, 1921, enacted a law extending the jurisdictional limit to ten miles to prevent the smuggling of liquor into Norway. The vote in the Odelsthing on September 21, 1921, was 54 to 35. The bill passed the Lagthing on September 30th by a vote of 17 to 14.

These safeguards would be stronger, of course, if buttressed by treaty provisions. This does not mean, however, that the United States cannot remove many of the difficul-

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ties of law enforcement without these treaty provisions. There are many reasonable and precedented lines of approach to prevent the illegal activities which are a menace to the enforcement of the Eighteenth Amendment.

The issuing of the passports is in the discretion of the Secretary of State under Rev. Statutes Section 4075. This power can be used in many ways to help enforce the Eighteenth Amendment. Mr. Baird, Secretary of State, in his General Instructions May 1, 1886 (Wharton's International Law Digest, Volume II, 469), held that passports would not be granted to persons engaged in violation of the laws of the United States. The Secretary of State has the right to refuse a passport to anyone whom he has reason to believe desires a passport to further an unlawful or improper purpose. (See rules governing the guiding and issuing of passports September 12, 1902.) (Also the ruling of Mr. Hill, Assistant Secretary of State, November 4, 1898.) The largest possible discretion is given the Secretary of State in the issuance of passports.

In 1879 passports were denied those who were planning to go abroad to proselyte for the Mormon Church. The Secretary of State sent circular instructions to all ministers abroad to request all proper assistance from the government to which they were assigned in suppressing the proselyting for the Mormon Church. It was held to be inconsistent to issue passports to persons who were undoubtedly Mormon emissaries even if they were American citizens. Inasmuch as polygamy was a crime in the United States, these regulations were promulgated in the strongest possible form to suppress any activity which would tend to break down the law of the land.

Further restrictions on the passports of those who are constantly going from this country to Bimini, the Bahamas, and other places used as a base for violating the laws of the United States would be a great help by bringing about the better enforcement of the Eighteenth Amendment.

The obtaining of information with reference to the move-

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ment of commodities in commerce is one peculiarly within the province of Consular agents. It would seem to be within the authority of the State Department to secure from our Consular and other representatives in nearby foreign countries information from customs officers showing ship clearances and especially those obtaining clearance papers for ports of the United States and information concerning the clearance of all ships transporting liquor.

It is recognized that it is highly important that matters of foreign relation be confined to the activities of the Department of State, but instructions to the representatives of the State Department to obtain this information and the designation of certain officials in that department to receive and co-operate with the Prohibition Department would greatly aid the officers of this branch of the government in their efforts to enforce the law. The Federal Prohibition Department could then check up and find out the purpose for which these liquors are brought here and keep clear surveillance of them.

Prohibition enforcement would be strengthened if diplomatic agents in foreign countries should be instructed to respond promptly to appeals for information concerning consignees of liquor exportations from the United States. In many instances these shipments are made from the United States into a foreign country and then re-shipped here for illegal purposes. The data concerning these consignees' occupations and information concerning their financial responsibility and their general reputation would be of service to the Department.

If the government could circularize all of our ministers abroad to request all proper assistance from the governments to which they were assigned to support the United States government in preventing proselyting for the Mormon Church, it seems appropriate that these same diplomatic agents could properly request co-operation from these governments in securing this information concerning the exportation and importation of liquors in that country.

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The customs officers in many of these foreign countries are conspiring with rum-running ships in bringing liquor to the United States in violation of the law. In some instances two or more sets of clearance papers are issued; one will be to a port in the United States, and the other will be to some foreign country, which will carry the ship along our shores. If any investigation is made the clearance paper will be used which will serve best the purpose of the outlaw ship in evading the law.

Section 4309 of the Federal Statutes declares that "Every master of a vessel, belonging to citizens of the United States, shall, on his arrival at a foreign port, deposit his register, sea-letter, * * * with the consul, vice-consul, commercial agent * * * at such port," and that it shall be the duty of such consul, vice-consul or commercial agent to deliver to the officer of the vessel clearance papers if such officer has complied with the provisions of certain laws while in that port.

Doubtless the laws of other countries are similar to this. These double clearance papers or any scheme endorsed by the customs officers to make it easier to evade our laws is not justifiable. At least our own representatives in these countries could secure from the customs officers much of the information needed to prevent the continuance of this smuggling trade.

While foreign nations cannot be expected to enforce the laws of the United States yet it is proper to request that the agents of these governments shall not conspire with those who are violating the laws of our country. To this end it might be proper to request some instructions from foreign governments concerning a greater respect for the laws of this country when the ships of those foreign nations are within our jurisdiction.

All along the coast, foreign vessels infest the harbors and ply within the three-mile limit. When officers of the law attempt to enforce the law on these vessels, where there is a clear violation of the law, they meet with opposition on

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the ground that the ship is foreign territory and these officers have no right to interfere with it. It is not justifiable for the owners of foreign ships to claim immunity from arrest under these circumstances and appeal to their diplomatic agents here to have their vessels released when caught in unlawful practices. There are precedents which would justify the State Department entering into diplomatic correspondence with the representatives of these nearby foreign countries, seeking to have their governments direct their efforts to prevent such practices.

The United States, as a nation, seeks to assist in the prevention of practices which would be detrimental to the welfare of neighboring foreign states. Congress, by Act of May 16, 1884, Ch. 52, 23 Stat. L. 22, provided for the punishment of persons within the United States counterfeiting the notes, bonds or securities of foreign governments. This was held by the Supreme Court to be a proper exercise of legislative power in the case of U. S. v. Argona, 120 U. S. 479, 30 L. Ed. 728. This country received representations from the Mexican government with reference to the existence of a counterfeiting establishment at St. Louis, alleged to be engaged in the manufacture of counterfeit Mexican money, to be exported into Mexico. The State Department instructed the District Attorney to co-operate in the suppression of the practice. (See the correspondence of Mr. Livingston, Secretary of State, to Mr. Slidell, United States Attorney, April 16, 1832, 25 M. S. Dom. Let. 75.) Upon another occasion the United States brought to the attention of the Belgian government the counterfeiting of certain stamps and coins of the United States; see the correspondence of Mr. Tree, Minister to Belgium, with Mr. Baird, Secretary of State, March 30, 1888, and May 11, 1888, For. Rel. 1888, I, 42, 43.

Counterfeit government blanks for the withdrawal of liquors have been printed and are being printed in foreign countries and used here by illicit vendors of liquor. These blank forms are such good imitations that it is difficult to

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distinguish them from the genuine government blanks. There is no reason why other nations should not extend the same courtesy to the United States in this regard as we have already extended to them with reference to other counterfeit matters.

The foregoing are a few of the many things that are authorized to bring about a greater respect for law and its enforcement between the nations. No nation can afford to take a position that it will aid violations of the laws of other countries or stand idly by and see these laws violated by citizens of their own country. Disrespect for national law was one of the great causes of the recent World War.

All the nations of the world are facing the menace of lawlessness. A country that will condone lawlessness by its citizens when the lawless act is committed against the laws of another nation will find it more difficult to insist upon the enforcement of its own laws. Respect for law at home and abroad is essential to the progress of civilization.

PORTRAIT OF A LOVER

he was chivalrous,
he discovered pathos,
he lived on the moon, amid its wastes
in his good fur coat of despair;
his beloved grew kittenish,
her smile was traversed by a hint
of her carnivorous ancestry,
her eyes prowled through the menace of evening,
and she stroked his forehead;
he accepted the thin oasis of her perfume,
and they sat benignly fanning each other.

—*By* LOUIS GRUDIN.

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THE WAR AGAINST TRADE UNIONS

By MATTHEW WOLL

TRADE unions are too much engrossed in the constructive extension of their own movement to give serious consideration to the anti-trade-union experiments of the anti-trade-union employers. Chambers of Commerce, "open shop" associations, "American plan" associations, shop committees, works councils and all other specimens of the company union species—these phenomena look much alike to the trade unions and are regarded as employer organizations and devices to hinder the vanguard of the American wage-earners from thoroughly organizing American industry on the basis of trade union collective bargaining and whatever employee representation in management may be necessary to protect the workers in their contribution of life and skill to industry.

Shop committees as at present constituted are specifically an institution brought into operation by the anti-trade-union employers for the definite purpose of speciously granting employees certain superficial forms of labor organization with none of the outstanding advantages of bona fide trade unions. They are operated, as their originators designed them to be operated, by the employers, for the employers.

During the depression shop committees have worked just the same as every other instrumentality of the employers' anti-trade-union schemes worked and will ever work—in the interests of the employers and against the interests of the workers. The reason for this is fundamental. It could not be otherwise. For the shop committee system is fathered by those employers and employers' associations who are undertaking to maintain industrial autocracy rather

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than recognize the necessity for the underlying principles of industrial democracy which animate the present day trade union movement.

The trade unions seek substantial control over all those industrial conditions which directly or indirectly affect the workers' lives. Collective bargaining through voluntary negotiated agreements has long since passed the experimental stage and is recognized by the thinking public and the more democratic minded employers as the best means for the protection of the workers as well as for the larger welfare of the owners of industry. Through their freely elected officials, responsible only to the worker constituents who choose them, the trade unions are the only instrumentality with which the workers meet the employers on at least an approach to that equality which is necessary for equitable bargaining. The anti-trade-union employers are opposed to trade unions in general and collective bargaining in particular. But due to the persistence of trade union agitation and education, and the economic impetus incident to the war of 1914, these ideas spread among the workers until they became the normal demand. These fundamentals of trade unionism were also given a more definite status by the National War Labor Board, which declared as fundamental the right of the workers to organize and held that collective bargaining is the surest method to secure maximum output and a minimum of industrial unrest. The Board also established shop committees, voluntarily administered by the workers, to adjust purely shop disputes, with the provision for appeal to the Board, none of whose economic security depended upon the appellants, thus assuring at least the probability of impartiality. The trade unions co-operated with the War Labor Board in the development of this democratic form of shop committees.

It is evident that the collective-bargaining and shop-committee policy of the War Labor Board encroached upon the autocratic control of industry hitherto imposed by the employers. With the end of the war and the dissolution of

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the War Labor Board employers attempted to re-establish their autocratic control of industry, outlawed during the war as contrary to the public interest. They did not abolish the shop committees. They retained the form established by the War Labor Board, changed the name to "works councils," limited the right of representation to those within the plants, and usually provided that the board of directors, or a group dominated by the management, should be the appeal body. In so far as collective bargaining was admitted in principle it was seriously limited by managerial dictation. In short, the shop committees initiated by the War Labor Board and approved by the trade unions for the protection of the workers were turned by the employers into spurious shop committees having the form of workers' organizations but in fact being employer-controlled for the benefit of the owners of industry.

We have unquestioned confirmation of this statement. The National Industrial Conference Board is the official mouthpiece of the organized employers. In 1919 the Conference Board published a compendious book on "Works Councils in the United States," the term "works councils" being considered as preferable to "shop committees." The book gives this definition of the function of employers' works councils:

> "The works council is intended as one means of gratifying the desire of the workers for a share in the adjustment of his work conditions; as a method for lessening labor difficulties, of allaying industrial unrest, of increasing productive efficiency; and as an opportunity for informing employees on production, technical, and economic questions."

This is purely an employers' objective. And quite naturally, when we ascertain the character of employers who are experimenting with it. The Conference Board states that out of 81 employers who were included in the works council census practically all of them operated anti-trade-union establishments. Among these concerns is the Colorado Fuel & Iron Company, whose company union organized by the Rockefeller interests after the strike of 1913-14 has now become a "works council."

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When we turn to the functions and activities of these works councils we are at once struck with the extent to which they are merely the rubber stamp instrumentalities of the employers. The rights which the workers have are determined by the employers, not by the workers. The works council employers grant; the works council employees accept. In its works council book the National Industrial Conference Board states that the employers concede "such matters as hours of work, wages and piece rates" as proper subjects for the councils to consider, but adds that "shop discipline, hiring, promotion, discharge, dilution and apprenticeship," as well as "everything forming a part of the terms of employment," are found "less frequently" among the activities of the councils.

Absolute authority to hire, suspend and discharge employees are among the methods always used by employers against trade unionists and others who take an active part in efforts to improve the conditions of the workers. The employers back of the works councils still reserve this drastic authority. It is indeed an integral part of the works council scheme. In 1920 the National Industrial Conference Board published a "Works Council Manual." The introduction declares that the manual is "intended for the practical use of the employer who has definitely determined to introduce a works council in his establishment," and includes a works council constitution. Under the brief section consecrated to the "powers" of the council we find that although the employees are given "equal voice in voting power" with the management in considering "policy" questions relating to "wages, hours of work, and other conditions of employment," nevertheless the company reserves "exclusively" for itself the "right to employ and discharge," as well as the unlimited "direction of the working forces," with the proviso that the company hirers and firers shall not discriminate against employees because of their membership in labor unions or against employee representatives

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on works councils on account of "any action taken by him in good faith in his representative capacity."

Of course this provision against discrimination is of no protection to the worker without a strong trade union to enforce it. The employer who wishes to get rid of an annoying employee representative does not name that activity as the reasons for the discharge; there are many others which a versatile anti-trade-union employer can use. An employer who wishes to discharge a vigorous member of a trade union does not state that the man is discharged because of his membership in the union. He can make use of a dozen subterfuges, such as "interfering" with his fellow employees by asking them to join the trade union.

As a typical illustration of this National Industrial Conference Board works council constitution, the one established by the Youngstown Sheet and Tube Company stipulates that:

> "The management of the works and the direction of the working forces, including the right to hire, suspend, discharge or transfer, and the right to relieve employees from duty because of lack of work, or for any other legitimate reason, is vested exclusively in the management, and, except as expressly restricted herein, these rights shall not be abridged by anything contained herein."

A reservation to the management of this drastic character deprives the works council of its economic independence and makes it the puppet of the management to approve management policies even in those matters in which the management "concedes" the employee a "voice" and even a "vote." When we add to these reservations the information given by the National Industrial Conference Board that a "majority of the plans" contain provisions by which the company defrays the expenses of the works council and in "many instances" pays the employee representatives for time lost on works council duties, it is doubly clear that the entire shops committee and works council institution is an anti-trade-union employers' desperate undertaking to give workers a paper independence while tying them to their tasks by the employers' unrestrained control over the work-

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ers' right to earn a living by their own labor with adequate control over all those working conditions into which the workers necessarily enter in their contribution of life and skill to industry.

The trade union movement—with its collective bargaining, with its officials elected by the workers and paid by the workers, and hence responsible solely to the workers—is the only organization capable of safeguarding the workers against employer tyranny and securing for them those constitutional rights to which as citizens they are entitled and to which their historic mission predestines them.

NOSTALGIA

By GUSTAV DAVIDSON

The fields are fresh and green
After the June rains.

The day sets to a close;
The birds are melodiously still.

Where are you at this moment,
Beautiful and remembered ones,
Loves of my life,
That I yearn again for the nearness of your worshipful young bodies,
The pledge of your lips?

I look out of my window over the fields
Fragrant and green after the June rains.
Somewhere, close by, an Immortal is singing
From "La Juive,"
Incomparably, as of old. . . .

I look for you,
Loves of my life,
Over the fields that the June rains have made
Fragrant and sweet.

The day sets to a close;
The birds are melodiously still.

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EUROPE AS IT IS TODAY

By OTTO H. KAHN

EVER since, in the spring of 1919, the proposed principal conditions of the peace treaty became known, I have done what was within my feeble capacity to advocate reconsideration or mitigation of certain aspects, and to point out the grave results inevitably bound to follow insistence upon, and attempted realization of, these conditions. The course of events has borne out, only too fully, these predictions. No more shortsighted and destructive "settlement" was ever inflicted upon the world, from the point of view alike of friend and foe, than the so-called peace treaties with Germany, Austria, Turkey, Hungary and Bulgaria.

I had occasion, during my stay in Europe, to visit Austria. Whatever the degree of punishment and atonement justly due for the crime of their Government in unchaining the war, nothing more tragic can be imagined than the utter misery of that gifted and amiable people who have been one of the civilizing forces among the nations, and to whom the world owes so much in the field of science, music and literature. It is appalling to contemplate, especially, the dreadful conditions among the middle classes, their semi-starvation and, in some cases, actual starvation.

Forced, by the treaty of St. Germain, into economically almost impossible frontiers, hampered and crippled by its terms (even though some of these have since been mitigated or suspended) the Austrian people are singled out, less, really, by design than by bungling on the part of the treaty makers, for particularly cruel and hopeless suffering. Forbidden, in defiance of the famous doctrine of self-determination, to measurably relieve their economic conditions by affiliation with their neighbor, Germany—a prohibition

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defensible in itself, but vitiated by a treaty which has rendered Austria impotent to stand alone; harassed, humiliated and maltreated by other adjoining states on whom they depend for their trade and for some of the very necessities of existence, they are deprived even of the possibility to escape from their wretchedness by emigration, because they cannot afford the means to emigrate over-seas, and the doors of the neighboring Danube States are closed to them. At the same time, millions of their brothers—again in defiance of that assumedly sacrosanct doctrine of self-determination—have been torn away from their Austrian allegiance and placed under the domination of Czecho-Slovaks, Roumanians or Italians.

* * * * *

And yet there are still persons of professedly liberal tendencies to be found in America, who prate about the "liberal" spirit of the peace treaties and who unctuously give thanks that the treaty-makers of Versailles, St. Germain, Sevres, etc., departed so beneficently from the ways of old diplomacy. Presumably, such defenders, like my good friend, Mr. W. L. Saunders, who recently in a published statement charged me with "tory" tendencies in my attitude toward the treaties, are not fully acquainted either with the general purport of these treaties, their deviation from solemn declarations repeatedly made during the war by the allied spokesmen, their non-conformance to the plighted faith of the armistice terms, or the calculated meanness of their details.

As against such persons, I have not met a liberal in Europe—however sweeping in his condemnation of the guilt of Germany, however insistent on the very limit of just and feasible atonement for the past and security for the future; however appreciative of and sympathetic with the rightful claims of the heroic defenders of right and liberty, on whom the war imposed such unspeakable suffering and sacrifices, foremost among them France, with all of which

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sentiments I associate myself wholly—I have not met a liberal in Europe who does not denounce the treaties and looks upon them as nothing less than a calamity.

The tragedy is that President Wilson had both the true vision of a wise and just peace and the power to enforce it, but failed deplorably in realizing that vision.

However, it is little use to indulge in lamentations over what has been done, except in the hope of aiding to bring about a recognition of the facts, and from and through that recognition, remedial action, as far as still possible.

* * * * *

Such as Europe is today, America has been a strong factor to make her, through our participation in the war and through President Wilson's part in the peace negotiations. We cannot, in decency or in wisdom, disregard that responsibility. The European nations—both our comrades in the war and our former enemies—have confidence in our disinterestedness and well-meaningness. They have got themselves into a snarl which, hampered, as they are, by racial animosities, jealousies, apprehensions, considerations of domestic policy, and so forth, they find the utmost difficulty in disentangling. They urgently need and ask our cooperation, less even in a material sense, than as helpful counsellors and guides. It seems to me both our duty and our advantage to heed that call.

That does not mean giving up our enviable position of freedom from entanglements in Europe. I have always been opposed, and am opposed now, to our joining the League of Nations in the form and meaning in which it came to us from Versailles. The League ought to have been a matter of growth, of evolution, of elastic adaptability, instead of the rigid, cumbersome, pedantic, complex code which, by the fiat of a few men, emerged from the conclave in Paris in the summer of 1919. It ought to have been entirely separate and distinct from the war-settlement, instead of being made an instrument to guarantee and execute ill-conceived peace terms.

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Owing to the inherent faultiness of its conception and the disingenuousness which taints its very creation, it has proved itself impotent to deal with the most pressing and vital problems for which the world craves a remedy, and to aid, even measurably, in bringing about that spirit and fact of peace and settlement and fairness and reconciliation among nations, which it was ostensibly destined to promote. In the single important matter which it was called upon to adjudicate since it came into being, *i.e.,* the settlement of the German-Silesian frontier, its proceedings and verdict are open to question on the score of the method of procedure and of judicial impartiality.

* * * * *

Venturing, in all modesty, to offer some constructive suggestions, I would say that what it seems to me we could and should do, consistent with American traditional policies, with the spirit of the verdict of the last Presidential election and with altruism, duty and self-interest, is this:

1. I believe it would be well if we were officially represented on the Reparations Commission (on which we have always had, and now have, an admirably qualified but unofficial delegate) and on kindred commissions destined to settle controversial questions and to aid the recuperation of Europe, *but involving no tangible commitment to America.*

2. While opposed to our joining the League of Nations in its present form, I wonder whether we could see our way —with all due reservations—to being represented informally and unofficially in the meetings of the League of Nations and its various committees. It is conceivable that from such contact there might result such a readjustment of the constitution and nature of the League as to give it the character of an association with which we should be justified in establishing official connection.

3. We should deal in a large-visioned and liberal manner with the debts due us from the Allied nations. We might begin, it seems to me, by discriminating between, on the one hand, the advances made by us for direct war-mak-

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ing purposes and, on the other hand, those used otherwise during the war and those made after the armistice. I would utilize at least the first portion of those debts to aid in bringing about that change of attitude and conditions in Europe, which is indispensable if the world is to be again on an even keel. I would not relinquish any of our claims as a free gift but only in consideration of, and in return for, measures leading to the elimination, as far as possible, or at least the prompt and essential mitigation, of the circumstances and conditions which keep Europe in unsettledness and turmoil.

I feel convinced that such a bargain would be a good and profitable investment and would not only result in securing a valuable moral asset for America, but would be of distinct material benefit to us. The purchasing power of the European market may not, for a certain length of time, be wholly indispensable to our manufacturers—though it undoubtedly is to some of them—but it is absolutely indispensable to the prosperity of our farmers, because they have no other market for their surplus.

This whole matter of debts and claims and demands between the various nations, is interrelated. The recently published note of Lord Balfour has set forth the real situation with commendable frankness and perfect lucidity. It asks nothing from us; it simply points out the facts. It is for us alone to draw conclusions from undeniable premises.

These reciprocal debts and claims, in their undiminished magnitude, hang like a millstone round the neck of Europe. Their effect, unless the situation is alleviated, will be progressively troublesome to all nations concerned, the claimants only less than the debtors.

I realize that this is a problem from tackling which the timidity and opportunism of the political mind recoils. It calls for the pressure of enlightened public opinion. I am convinced, when the moral and practical elements of that problem come to be fully understood by the American people, that their verdict will be in favor of helpful, constructive and generous action all round. To aid in restoring

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the consuming and purchasing power of Europe, is to aid the prosperity of America.

Mr. Kahn spent three months in Europe, and in the course of his travels had occasion to confer with the leading statesmen, financiers and economists abroad.

THE INFANTA

By ELIZABETH J. COATSWORTH

Blazoned upon the shadows
In her stiff gorgeousness,
One hand upon her boar-hound's heavy collar
The other on the shoulder of her dwarf
The Infanta walks among her flowers.

As she passes they seem to hold themselves like courtiers
Brightly at attention.
The fountain bows before her weary eyes,
The black cypresses murmur obsequiously,
Everything grows hieratic at her coming,
Even the toad she startles by the hedges
Seems to hop pompous as a chamberlain.

Wearily the pale blue eyes of the Infanta
Wander over the trimmed magnificence of her roses,
Gently, as though reading from an unseen document,
She praises their beauty.

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THE MURDER OF RATHENAU

By DR. KARL HELFERICH

(German Minister of State)

THE murder of Rathenau has thrown a dazzling light on conditions in Germany. Such a criminal act, perpetrated upon so prominent a personage, causes alarm even among those by whom the sufferings of a whole people pass unnoticed. And yet, political crimes have their origin not only in the individual disposition of the perpetrator, but generally also in existing conditions. It may therefore be useful to outline the German situation briefly in the light of this act.

The world has not realized as yet what the lost war and the peace treaty of Versailles have made out of Germany.

Prior to the war, Germany was a country rivalled in its prosperity only by the United States of America. The population of Germany during the forty-three years of the German Empire (1871-1914) increased from 40 to 68 millions. The growing productivity of German labor created not only free scope but increasing wealth for this almost colonial growth. Our production of pig-iron rose in these forty-three years from 1½ to almost 20 million tons; it exceeded in the end the production of pig-iron of the United Kingdom by nearly 3 to 1 and remained only about 1/3 below that of the United States of America. The value of our foreign trade (export and import) rose from 1½ to 2½ billion dollars. The consumption per capita of sugar rose from 6 to 22 kg. (1kg. equals 2.2 lbs.) of cotton from 2.8 to 7.6 kg. The national wealth of Germany increased from at best 36 billion to more than 80 billion dollars, and in the last years before the war increased by about 2 to 2½ billion dollars annually. The national income has about doubled within the twenty years preceding the war (from

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5½ to 11 billion dollars), the average income per capita increased from about $100 to $160. Labor wages especially have had their full share in this development. Thus, wages of miners in the Ruhr district increased from $215 in 1888 to $440 in 1913.

The favorable economic development was accompanied by a similarly progressive evolution of social and political conditions. Legislation for the protection of labor and social insurance had reached as high a standard in Germany before the war as in few other countries. Law and order and the security of people and their property were absolutely safeguarded. No country in the world had officials that were abler and less corruptible. The Reichstag was elected by universal, equal and secret ballot without any limitations; in fact, the most liberal ballot in the world. We had the monarchy, of course, but the *absolute* monarchy existed only in the eyes of foreigners who did not know our conditions, and in the speeches and newspaper articles of our German radical parties who needed the "German absolutism" just as they needed the "German militarism" for their agitation. You, in the United States, do not want to be judged abroad by the picture your I.W.W.'s gratuitously present to a listening world. Any attempt to govern in conflict with the representatives of the people was impossible in Germany even in Bismarck's times, and utterly unthinkable under the chancellors of softer fiber who succeeded Bismarck. Even those who did not know the inner political situation in the Germany of the Kaisers, should have realized that the tremendous economic progress which Germany accomplished in that epoch could have been achieved only by a free, and never by an enslaved people.

With the victorious war of 1870-1, and the resulting reachievement of her national unity after centuries of division and humiliation, Germany had regained in the council of nations the prominent place which behooves a great people. The German then ceased to be the "Pariah" among the nations of Europe. If his sense of importance sometimes

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got the best of him, this was a natural and obvious reaction from the suppression of many generations.

Compare with this picture the situation of to-day!

In the field of foreign politics, Germany to-day is nothing but an object. Germany is powerless against any injustice and any insult. The "universal" reduction of armaments proclaimed by Wilson, which was one of the points accepted as a foundation of the peace, has been put into operation as against Germany only. The army which was left us, is considerably smaller than the armies of Belgium, Poland and Czechoslovakia. Is it surprising, if the national sense of honor flames up under the daily humiliations, especially in those circles which by tradition and education see the highest treasure in the national honor? Cannot Americans who hold America dear "first, last and all the time," imagine the sufferings of a patriotic people, bullied and tormented beyond endurance and beyond any reasonable necessity?

By a further breach of the promises made at the Armistice, German land and 5 to 6 millions of Germans who had no more fervent wish than to remain with Germany, were torn away from Germany. The word of Wilson that parts of nations must not be bartered away like pawns, has become a cruel mockery as applied to the German people. In the annexed districts, the Germans are being made outlaws, deprived of their property and ill treated; they are being expelled in masses without any consideration, even from such territories which—like Upper Silesia—belonged to Germany before Columbus discovered America; even before William the Conqueror set foot upon the British Isles. Is it surprising if not only those who are directly affected, but everybody who has a trace of patriotism left, try to stand up against such abuses?

The Peace Treaty of Versailles has burdened Germany —contrary again to the solemn promises at the Armistice— with the heaviest contribution in the history of the world and at the same time it has chained the German people,

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hands and feet. The peace, therefore, according to Clemenceau, has become a "continuation of the war by different means." It reduces the elbow-room of Germany's population by at least 20 millions, who, if the nations do not change their minds, are sentenced to starve to death or to kill one another. The murdered Rathenau himself, prior to the acceptance of the London Ultimatum, wrote:

"Germany shall never be able to fulfill what she has promised. She shall year after year whine and beg, excuse and promise, and the others, according to the dictates of their own interest at each time, will appear merciful, cruel, threatening or destructive, and have the right to any repressive measure or torture."

Rathenau saw correctly: We are being whipped with ultimata and sanctions. We are being divested gradually of our sovereignty. Our administrative bodies are being interspersed with inter-allied commissions of control. The financial administration of the country is being placed under the jurisdiction of the committee of guaranty. Finance and customs offices and even private enterprises are being meddled with by foreign functionaries. With the aid of a German administration whose program it is to prove by an attempt at fulfillment the impossibility of fulfilling the contributions imposed upon us, our economic body is being drained, our mines and factories, our urban real estate and partly even our fertile soil are being transferred to foreign ownership. The value of our money sinks to bottomless depths under the pressure of the payments to be effected monthly to the "Reparations Commission" and "Clearing Offices." At the time of the London Ultimatum (May, 1921) the mark was quoted in New York 1.7 cents, to-day (29 of July, 1922) it is only 0.16 cents. The fall of the internal purchasing power of the German currency is correspondingly heavy. The prices of all necessities of life are to-day about seven times as high as a year ago. Labor succeeds in having its wages raised to some extent under political pressure, but the broad ranks of the intel-

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lectuals and middle classes, who form the nucleous of state and society, are being crushed pitilessly.

Is it surprising, if the socially declassed, exposed to hunger and misery, lapse into despair?

In sharp contrast to this distress and misery is the wastefulness of those risen from the gutter "the newly rich" who are in many cases of foreign blood; and the high living of the foreigners coming to us from countries with strong currencies; also the luxury displayed by our military and civil oppressors. The common soldier and most obscure official of an Entente Commission receives a higher salary than a department head in the office of a German Minister of State. Every non-commissioned officer and subordinate official of an Entente Commission is better off than a German Minister of State. The inter-allied Army of Occupation in the Rhineland alone, which is twice as large as the German garrisons at the time of the "Militaristic Empire," costs us yearly $430,000,000; the entire expenditure of the Empire for its own needs (including army and navy) do not reach 125 billion paper marks—equal 220 million dollars. The cost of the foreign occupation of the Rhineland is therefore almost twice as high as our own entire expenditure. I have stigmatized this state of affairs in my speech in the Reichstag on June 23rd, the day before the assassination of Rathenau, as the most unheard of satrapy and the most unscrupulous sweating which has ever been imposed upon a country.

Is it surprising if in view of such conditions the despair of those who feel themselves deadly wounded in their national honor, who have lost their social foundations, who see themselves and their families sentenced to go under in misery, breaks all bounds and at last degenerates into insane and criminal acts?

In the organ of the Catholic Centrum party, to which belong Chancellor Wirth and the labor leader and former Prussian Prime Minister Stegerwald,—a man who certainly could never be accused of excessive nationalism, and who certainly would not excuse any crime,—was printed

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yesterday the following: "We have no statesmen who dare to tell our people the naked, comfortless truth. Instinctively, however, the German people understands its condition. Humiliated and dishonored in the family of nations, the German people is nevertheless exceedingly sensitive and touchy in its foreign relations.

The hatred towards Ersberger and later towards Rathenau is really a psycho-individual transposition of the grief and exasperation of a people wounded in its most sacred self-consciousness."

The German people used to be calm and thoughtful. Attempts for political reasons on the lives of prominent men hardly ever occurred, at any rate they were much less frequent than with the Slavic and Romanic races. If the national and social desperation now seeks relief in such crimes, it must partly be attributed to the demoralization which set in, especially among the German youth, resulting from the war and still more from the overthrow of all authority and discipline through the revolution. One of those primarily connected with the assassination of Rathenau is a student not yet 21, another a high school boy 17 years old.

Trying to explain the murder should by no means be mistaken for an endeavor to excuse it.

I was indeed always opposed to Rathenau's "Policy of Fulfillment." I considered as unfortunate the statement made in his first speech as Minister that there was no absolute impossibility of fulfillment, that it was only a question of "how deep a people should be allowed to sink in its distress." I saw in his Wiesbaden agreement with M. Loucheur not a mitigation but rather an aggravation of the German situation.

He returned from the conferences at London and Cannes with an optimism which was presently refuted by the facts. However, Rathenau was the towering intellect of the administration; he was a cosmopolitan of broad education and great ideas, and above all, a staunch patriot. I got the im-

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pression during his last weeks that he had learned from bitter experience, and had approached my standpoint in the question of reparations. In the last private conversation I had with him, a few days before his assassination, he expressly admitted the justification of my demand (made after the failure of the negotiations for a loan with the Morgan Committee) that the German Government should not make any further purchases of foreign exchange for payments to the Entente, as long as exchange exceeded 260 marks to the dollar. He told me that this proposal hit the nail on the head and that he had fully supported it in the Cabinet sessions. In view of these impressions, I spared Dr. Rathenau in my speech in the Reichstag which was subsequently linked with his assassination; indeed, I expressed my friends' and my own gratitude to him for the position he had taken in matters of the Saar territory and the Rhineland. However, weighty information about the Finance Minister's far reaching tendency to yield in negotiations with the Guaranty Committee elicited a sharp protest on my part.

By thus lifting the veil from these negotiations, I hoped to force the Administration to demand a revision of the London payment plan, but my intentions were frustrated next day by the murder of Rathenau.

The events following the assassination throw no less dazzling a light upon conditions in Germany than the act itself.

A thoughtful government, equal to its task, would have found in the act a motive for an appeal to all decent elements to unite in an attempt to unroot the disease of which the murder was a symptom. Chancellor Dr. Wirth, however, chose a different way. He used the crime—abhorred and condemned as it is by all decent men and all political parties—in order to resume the war cry previously issued by the socialist leader Scheidemann: "The enemy is at the right" (the right meaning the conservative and bourgeois parties).

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A merciless agitation against the opposition parties and their leaders was unleashed. The Reichstag witnessed unheard of scenes; deputies not only of the strict opposition (Deutsch-Nationale Volkspartei) but even of the semi-governmental "Deutsche Volkspartei" were brand-marked as "murderers" and bodily threatened. The official Prussian News Bureau did not hesitate to accuse me of "social and political relations" with a student suspected in connection with the murder. The only "proof" was a motto dedicated by me for the colors of a national young men's club; this motto was in no way connected with the crime or its perpetrators. The student suspected, who had in a subtle way worked his way into the young men's club, had been expelled 1½ years previously from the Deutsch-Nationale Volkspartei on account of embezzlement. The Berlin Police Department tried to induce me to leave the city after the arrest of the student, stating that my personal safety could no longer be guaranteed. A notice given to the press in connection with this unsuccessful attempt to intimidate me caused the "news" of my "flight" to be telegraphed broadcast. As a matter of fact, I did not miss a single day in the Reichstag. Demonstrations were organized all over the country and degenerated in many places into serious disorders. A number of dead, numerous cases of ill treatment to peace loving citizens, pillage and destruction were the result.

The Administration proposed—ostensibly "for the protection of the Republic"—special laws which were much more drastic than Bismarck's "Anti-Socialist Law" that had been so violently opposed by the liberal and radical parties. A court, one third to two thirds of whose members are party politicians not belonging to the judiciary, is created by these special laws, which furthermore interfere with the traditional, and constitutionally affirmed, rights of the Federal States. These special laws were passed under the pressure of the "street." Countless opposition organs have since been suppressed, perhaps a dozen of them

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for no other reason than having reprinted the article of the American Fred W. Elven, Editor of the Cincinnati "Free Press," who criticizes the conduct of Chancellor Dr. Wirth from the standpoint of a citizen of your great Republic.

This policy, as was to be expected, aggravated the differences existing between the political parties. And still worse: An accentuation of the friction between North and South resulted. The Government of Bavaria, the second largest federal state, refuses to approve and put into operation the special laws.

German currency has suffered a new break through all these happenings. The value of the dollar in Berlin rose on the day of Rathenau's assassination (June 24) to about 350 marks as against 332 on the preceding day. It remained steady till June 28. Then serious disorders followed, caused by a strike willfully started, which led to the suppression of all Berlin newspapers (save the socialistic organs). Under these impressions, the dollar reached on July 7th the rate of 545 marks. After violent fluctuations, a further advance to almost 600 marks has occurred within the last few days. Thus, we face a new break of our currency which by far exceeds all previous shocks.

In view of this state of affairs, Messrs. Lloyd George and Poincaré again wish to negotiate about Germany; not about Germany's recovery, but about the payments to be squeezed out of her. Maybe new ultimata and new "sanctions" will be the result. If so, a new reduction of Germany's ability to pay will follow, bringing the 60 million people in the centre of Europe nearer to the fate which threatens them, and which must pull the other European States down into the abyss likewise.

Can America remain a disinterested spectator? Amer-ica, and America alone must decide this question. But in order to be able to do so "en pleine connaissance de cause," America must also know the German point of view. May these lines succeed in placing it before your people's judgment.

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THE LA FOLLETTE VETO

By NOEL SARGENT

THE American Federation of Labor has set the seal of its approval upon the following constitutional amendment proposed by Senator La Follette:

> "If the Supreme Court assumes to decide any law of Congress unconstitutional, or by interpretation undertakes to assert a public policy at variance with the statutory declaration of Congress, which alone under our system is authorized to determine the public policies of government, the Congress may by repassing the law nullify the action of the Court.
>
> "Thereafter the law would remain in full force and effect precisely the same as though the Court had never held it to be unconstitutional."

The supporters of the proposed amendment have compared it to the legislative overriding of the Presidential veto. It will be immediately noticed, however, that while the overruling of the Presidential veto requires a two-thirds vote that no provision for other than a bare majority vote is made in the La Follette proposal.

Senator La Follette and his supporters would have us believe that the power of the Supreme Court to declare laws unconstitutional is a "usurped" power, one which it was never originally intended that it should have. In other words, it is claimed that when John Marshall in the famous case of Marbury v. Madison announced that acts of Congress could be held null and void he did so without any express or implied warrant from the Constitution.

Of the fifty-five members of the convention which framed the Constitution, only thirty-nine took an active part in the proceedings. Twenty-five of these, beyond the shadow of a doubt, believed that the courts should, and would, have the power to declare unconstitutional acts null and void.

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So the courts in declaring laws invalid have only exercised a power it was the intention of the constitutional convention to give them. (For specific proof of this and the following statements see a study by the author in the American Law Review, September-October, 1917.)

Not only was it understood in the Constitutional Convention that the judges were to have this power, but it was known in many of the state ratifying conventions. Hamilton in The Federalist, No. 78, said it would be the duty of the Federal judiciary "to declare all acts contrary to the manifest tenor of the Constitution void." Wilson, in the Pennsylvania convention, declared: "If a law should be made inconsistent with those powers by this instrument vested in Congress, the judges . . . will declare such law to be null and void. . . . Anything, therefore, that shall be enacted by Congress contrary thereto will not have the force of law." Luther Martin's letter to the Maryland legislature said the judges could determine whether "any laws or regulations of the Congress . . . are contrary to, or not warranted by, the Constitution." Marshall, in the Virginia convention, declared the Constitution gave the judges power to declare void a law passed by Congress and "not warranted by any of the powers enumerated." The same ideas were expressed in many of the other ratifying conventions. There was no nefarious attempt to "put anything over" and to deceive those voting on its adoption as to the power of the judiciary over legislation.

The following quotation from the London *Public Advertiser* of October 8, 1789, demonstrates that it was early known abroad that our Federal courts were to have the power of declaring unconstitutional, laws passed contrary to the language and intent of the Constitution. "Extract from New York—The judicial power is established for the benefit of foreigners and will be a check on any encroachment by the state or the United States on the Constitution. They have the power of declaring void any law infringing it."

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The advocates of the proposed amendment do not scruple about the truth of arguments made. Thus, the socialist *New York Call* in its issue of June 17, 1922, says that "in no other country in the world does a judicial body exercise a legislative veto." That fact alone, granted its truth, would prove absolutely nothing as to the merits of what is termed the "judicial veto." But the statement is untrue. While the federal courts in Germany (before 1918) did not, as a rule, declare unconstitutional laws void, yet certain German jurists asserted that the German court of last resort should decline to enforce unconstitutional legislation. ("Constitutional History as Seen in American Law," H. W. Rogers, page 12. See also volume 48 of the American Law Review, pages 247-250).

Some Swiss jurists claim that the federal courts cannot enforce a law passed by the Legislature if in conflict with the Federal Constitution (Rogers, p. 12). This is a theoretical right only. In practice it is not exercised and legislative supremacy prevails.

In Belgium "jurists are said to claim that a law violating the Constitution ought to be treated by the court as void" (Pierce, "Federal Usurpation," p. 200). A Paris dispatch in the *New York Herald* of September 25, 1921, reports that the highest Belgian court had ordered "scratched off the books" a law passed in the spring of 1921 and signed by King Albert which imposed a fine on barbers operating their shops Sunday mornings.

Countries which follow the American doctrine to an appreciable and considerable extent are Canada, some of the Latin-American republics, Norway and Australia ("Judicial Supremacy," by Haines, pp. 7-11). It is often denied that this power is exercised in Canada. But see (Bourinot's "Constitutional History of Canada," p. 160, and volume 48 of the American Law Review, pp. 250-253).

Should the Supreme Court possess this power, even though it was not usurped? This involves a consideration of our form of government. Do we desire an unwritten

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constitution in America—one which can be changed at will? And if a constitution can be changed at the will of a legislature it is as well unwritten as written. Or do we desire a written constitution which will secure the popular will, but a popular will which is both matured and deliberate?

The purpose of a "written" constitution is two-fold. First, it lays down fundamental principles of government subject to change only by definite process, which renders it certain that any change will be a deliberate expression of the will of a majority of the voters. In the second place, such a constitution provides, by checks and balances, against encroachments of the legislative, executive or judicial branches upon either or both the other departments. The framers of the Constitution were well aware of the dangers of legislative, executive or judicial control, as they had at different times been exemplified in the various countries of Europe.

How can the Constitution be kept intact? Only by making it impossible to perform acts contrary thereto. Let us, for the moment, imagine it otherwise. The Constitution forbids the Legislature to pass certain measures. But all acts of the Legislature are to be subject to no effective review. That is, the Legislature is to be the judge—the interpreter—of the document which is to bind it.

Only by allowing the courts to determine the constitutionality of legislative acts can the American Constitution be made supreme. The Legislature could positively abuse the Constitution; the courts could only negatively do so, being unable to frame and pass laws. The Legislature must be held to its delegated powers.

The Constitution is the basis of all legislative authority. "Congress, no more than the state legislatures, have power to pass laws repugnant to the Federal Constitution. . . . Every act, therefore, of Congress . . . which is repugnant to the Constitution of the United States is necessarily void. This we must regard as a clear and settled principle

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of our national jurisprudence" (Duer, "Constitutional Jurisprudence," p. 120). The logic of the above statement is easily seen. "Government under our system is not absolute, but a delegation or agency created for certain purposes, and must keep within the limits of the grant" (Hare, "American Constitutional Law," I, p. 121). Unless there be some power to prevent it any act of Congress which is unconstitutional will become law—will supersede the Constitution—will mean legislative supremacy. The Constitution would bend to every governmental exigency; would be varied and blown about by every breeze of legislative humor or political caprice.

"Were there no power to interpret, pronounce and enforce the law, the government, if it did not perish by its own weakness, would be corrupted by the usurpation of new powers by the Legislature, to the subversion of public liberty" (Duer, p. 111). If either the national or state government, by accident or design, should exceed its powers, there is the utmost necessity that some timely checks, equal to every exigency, should be interposed. Legislatures are the creatures of the Constitution, which is their commission. Shall the will of the creator—the sovereign people—be subordinated to the will of the creature? Legislatures must be bound; there is a fundamental law.

To prevent legislative encroachments on the Constitution is the duty of the judiciary. "Being required to declare what the law is in the cases brought before them, they must enforce the Constitution as the paramount law, whenever a legislative enactment comes in conflict with it" (Cooley, "Constitutional Limitations," p. 192).

Shall judges support a law or the Constitution? No amount of quibbling can alter the fact that this is the issue. Now the judges are sworn to support the Constitution, which declares: "This Constitution, and the laws of the United States which shall be made in pursuance thereof . . . shall be the supreme law of the land." How can

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judges, sworn to uphold the Constitution, do otherwise than refuse to execute laws not "made in pursuance" to that document? The courts, as interpreters of the law, must preserve and defend constitutions as inviolable acts, subject to change, not by the Legislature, but only by the people through the amending process.

Nor does this mean a supremacy of the judiciary. Such a power, when given in the form and exercised in the mode provided for in the Constitution of the United States, is clearly judicial. The judges decide if there is a conflict between a law and the Constitution. If so, they refuse to execute the law, considering themselves bound by the Constitution.

Law must rest upon justice and reason. To establish this we have a fundamental law—the Constitution. All legislation should harmonize with this paramount law. To allow the Legislature to determine its own power would be an abuse of government. In no better place can the power of passing on the constitutionality of laws be lodged than with the judiciary. "In exercising this high authority, the judges claim no judicial supremacy; they are only the administrators of the public will. If an act of the Legislature is held void, it is not because the judges have any control over the legislative power, but because the act is forbidden by the Constitution, and because the will of the people, which is therein expressed, is paramount to that of their representatives expressed in any law" (Cooley, "Constitutional Limitations," p. 195).

The judiciary, as expounders of the Constitution, confine the legislative branch to its delegated sphere. This can be no subversion of the true principles of democratic government. In performing this function the judiciary are carrying out the fundamental social contract—the Constitution.

Legislatures often represent mere transitory whims of public opinion. Political caprice should not be allowed to change fundamentals of government. As President Butler

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well said recently: "The power of judicial review and protection is distinctively American and without it we should be swept hither and yon in the swiftly shifting tides of mere opinion." Nor does Congress always represent public opinion. The bonus is favored, for instance, to secure the good will of a small minority of the public. Under Mr. La Follette's proposal every law could add to our Constitution.

Senator Tracy of Connecticut well expressed this view in the United States Senate January 12, 1802:

> "What security is there to an individual, if the Legislature of the Union or any particular State should pass a law, making any of his transactions criminal which took place anterior to the date of the law? None in the world but an appeal to the Judiciary of the United States, where he will obtain a decision that the law itself is unconstitutional and void, or by a resort to revolutionary principles, and exciting a civil war."

And Senator Ogden of New Jersey on February 3, 1802, said:

> "Suppose the Legislature should pass bills of attainder, or an unconstitutional tax, where can an oppressed citizen find protection but in a court of justice firmly denying to carry into execution an unconstitutional law?"

In a great speech on the same day Senator Ross of Pennsylvania declared:

> "The gentlemen ought to recollect that there is no apology in this respect between our national Government and that of Great Britain. There an act of Parliament can change the constitution. Here the written constitution, established by the people, restrains the Legislature to the exercise of delegated power, and fixes immutably certain bounds which it may not pass. If it should rashly exceed the delegated power, our judiciary, sworn to support the Constitution, must declare that the great irrepealable statute made by the people shall restrain and control the unauthorized acts of agents who have exceeded the limits of a special authority."

If our government was worth creation and martyrdom it is worth preserving. But this preservation should not be for the exclusive benefit of any particular section or group. There are certain fundamental guarantees and rights which we should all, farmer, worker, merchant, banker,

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industrialist, or professionalist, seek to protect and preserve. These guarantees and rights are expressed in our Constitution. It is now sought to make these guarantees and rights subject to elimination or modification by any Congress at any time. What American but can think of many Congresses of the past (to say nothing of the present) whose power to make laws overriding all constitutional privileges and protections would have been dreaded? (We might, conceivably, praise what we now condemn, the inability of Congress to agree on important laws of any kind.)

The *Christian Science Monitor* in an excellent editorial of June 17 declared:

> "As it is the function of the Congress to enact laws, so equally is it the function of the courts to construe and apply them. It is an unreasonable assertion, as made by the Senator, that five of the nine justices of the Supreme Court are really the rulers and dictators of the people. The important fact should not be overlooked that the courts have no power to initiate legislation or to impose their own arbitrary decrees. Their office, as the interpreters of the will of the people, is as essential and as vital as that of those to whom has been delegated by the people the brief authority to represent them, for a period, in formulating those legislative policies which they believe beneficial and helpful."

What is the real cause of the present agitation? It rests in the belief of certain politicians that such catering to the votes of certain elements will be of personal benefit. Why do they so believe? Because the mis-leaders of organized labor and their pink-tea dilettante parlor-Socialistic friends have emphasized repeatedly that organized labor will not obey laws, will disregard court decisions, and will defy injunctions. They have taught to their followers contempt for all law and order. It is, therefore, believed that a program providing for disorder will present a strong appeal.

Do you doubt that contempt for law and public discipline is preached? The President of the American Federation of Labor, testifying recently before the Lockwood Committee, asserted there should be no remedy "by law" when labor unions break their contracts.

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The American Federation of Labor in February, 1921, declared that labor unions must refuse to recognize or abide by the terms of injunctions which seek to prohibit the doing of acts which *in their opinion* they have a lawful and guaranteed right to do or to compel acts which *in their opinion* they have the same right to refuse to do.

> "This is the only immediate course through which labor can find relief, and this course it proposes to pursue * * * be the consequences what they may."

Some of the consequences of such policies have already been made apparent. Among the causes of the horrible massacre at Herrin, Illinois, we must list the continued denunciations of all legislation and courts, and statements that laws and court decisions would not be obeyed, by the President of the American Federation of Labor and other "labor" mis-leaders. They have implanted in their followers a belief that "labor" is above the courts and law and order. What is more natural than that men with such beliefs should endeavor to make their own laws and to enforce them by bloodshed and torture and cold-blooded murder?

What if the La Follette amendment passes. These leaders will persuade their followers that all power of the courts is gone, that controlled legislatures will protect them and that they will be fully protected in all efforts to establish and maintain class control of industry. And politicians would pander more than ever to selfish groups possessing votes.

VIEW

By WILLIAM CARLOS WILLIAMS

The moon
ovoid
in the black press
sits
hugging his knees,
gone with thought
above
the ringed city.

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THE MYSTERY OF NUMBERS

Some data collected for the benefit of accountants, as well as the public

By WILLIAM C. CORNWELL

THE profession of accountancy is one of the oldest in the world. This is because it is founded upon figures or numbers, which go back to the very beginnings of creation. I have been interested in tracing its antiquity. Its history runs along with that of trade, and in the dim back ages, when trade was merely barter, it had probably not reached a scientific basis except in very exclusive channels, but 400 or 500 years ago, in Italy, the scientific principle of accountancy was undoubtedly well understood, as shown by published works full of practical knowledge of the subject, in Venice and other trade centers.

The origin of figures or numbers is buried in the remote past and is surrounded with mystery. In fact, if we investigate the works of able philosophers like Pythagoras, who lived some 600 years before Christ, we find that even to them, who had brought numbers and theories of numbers from Egypt, the source and beginning of their use was so far distant that they attributed the invention of them to divine Creatorship concurrent with the beginning of the world.

Many people today are aware of the fact that the number theories, revived by Pythagoras from the deep investigations of Eastern philosophers, form one of the most interesting and fascinating studies. They are made the basis now, as they were then, thousands of years ago, of prophecy as to future events and of development in individual characteristics. Their use in different combinations, as in names, is claimed to have an effect upon the life and fortunes of the individual possessor.

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Pythagoras and his valuable scientific investigations are well worth consideration. Living, as he did, some 600 years before Christ, he is an outstanding figure among intellectual investigators of the world, and to him is due the solution of many of the geometrical, algebraic and numerical problems which stand as the foundation of each of these branches of mathematics.

Bringing from the Far East, after twenty-two years' sojourn in the mysterious Eastern atmosphere, a superior knowledge of mathematics, he founded a school based upon this knowledge, which he kept secret. This secret or occult knowledge was used, it is said, to furnish revenues to his school by means of calculations for the citizens of that time, and in that sense this school of Pythagoras was a body of scientific accountants.

But the investigations of this great philosopher went beyond merely mathematical science, which branch, however, he developed to a point where it became the foundation of much of the modern study. They were in possession of many well-worked-out propositions, including the theory of numbers, and the doctrine of harmonical proportions. It is considered probable that they had an abacus (a table with sliding balls for intricate calculations) little inferior to the Arabic system of arithmetical notation.

Apparently having worked out the theory of the divine creation of numbers, the Pythagoreans held them to be the substance of all things in the elements of the universe. Each number had its virtue. Something fundamental was also discovered in odd and even numbers, in square numbers, and the like. Harmony, or music, consists in number; the soul is the harmony or number of the body; the universe has also a soul.

It will thus be seen that in addition to all the useful results of the practical and intensive studies of Pythagoras and his followers in the material world of mathematics, they did not stop here. Their studies were carried up into the higher world of philosophy and idealism. That the solutions were

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equally reasonable it may well be surmised, but the unfortunate wholesale destruction of the records of the Pythagorean School has left the world in the dark and necessitated us to carry on again the astute investigations which these mind-masters perfected, and to plod slowly again towards the light.

This fascinatingly interesting study of numbers from the occult standpoint (occult meaning dark or hidden), is not confined to one country or one time, but, as I have said before, goes back to the farthest point in history of written thought, of which we have any knowledge. In all countries and in all ages we have records of its importance, and it is invariably a component part of all of the religions of the world.

Wisdom is universal and has nothing to do with time, place, race, nor creed. The science of numbers is symbolical of this universal wisdom, and, therefore, must be incorporated into all things which are based upon it.

The question of how figures came about and how language evolved, and what relation these various symbolical marks which constitute letters and figures have to the thoughts of man, and why one language should be so different from another and yet have the same meaning, and various questions of that sort, bring to the mind the vague understanding of what symbolism in numbers may mean. Considered from that deep and shadowy standpoint, it seems almost impossible of explanation. And, in fact, many scholars and philosophers have devoted their lives to the task of attempting to elucidate it.

But we can look at it also from the standpoint of our modern scientific discoveries, and can possibly get a slight explanation as to its actual workings.

Such theories and explanations, from the modern standpoint, as here follow, are gathered from authoritative sources and voice the present-day opinion of those who have given earnest study to the subject.

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It is held that the effect of numbers is dependent upon the vibration of sound, numbers being symbols, each, of a certain rate of vibration. Letters are the same as numbers, except that there are more letters than there are numbers (as we know, there are only nine numerals, and all other combinations of numbers are a combination of the same nine numerals), but in different alphabets there are various numbers of letters—as in English 26, in Hebrew 22, etc. 26 and 22 are naturally more than 9, and, therefore, when we finish with our 9, we take up another 9 which we can call, "in the second degree," and so on until we have finished the alphabet.

For example: The English alphabet, up to the letter "I," has 9 letters. Then the letter "J" would be called Number 10, and the letter "K" Number 11, and so on to the end of the alphabet, counting 26 letters. When we come to "J" we find that the numerals of 10, being one and zero, added together, make only *one,* just as the numerals of 11, added together, make only *two,* and the numerals of 12, added together, equal *three.* In a like manner, the numerals of "V," which is the twenty-second letter, added together, equal *four* (22 equals 2 plus 2 equals 4), and the numerals of "W," added together, equal *five.*

In that way we have divided the alphabet into three distinct parts of nine numerals each, minus the final letter which does not exist and which would be the twenty-seventh; and we have what we call three degrees of 9. These letters are supposed to vibrate, each one according to its numerical value, but in a slightly different way, according to its degree. Thus the letter "E," the letter "N," and the letter "W" are all vibrating to a certain rate which the numeral 5 typifies, only in the first, second, and third degree of that numeral.

Incidentally, while speaking of 5, there is an interesting fact about it, in relation to these letters. If one takes the letter "E" and the letter "N" and the letter "W," and writes them in spencerian script it will be found that, except for

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the way in which they are placed upon the paper, they are identical in shape.

This is a peculiarly interesting exposition of their similarity. Other letters do not lend themselves so readily, but the likeness is there nevertheless.

We are all familiar with the effect upon matter of the vibration of sound. If a person would ask, offhand, if one believed that the vibration of sound *could* change the form of material substance, one might possibly, without thinking, say "No; I do not believe that it could." But we know that it can and does, as in the case of the phonograph records, which are impressed in various shapes and forms and depths by nothing whatever except the sound waves beating upon the soft wax. In this way we see that if wax can be impressed by sound waves, then other things can, to a greater or less degree. Therefore, it is neither illogical nor unintelligent to assume that the shape of the human body and the character of the thought might also be affected by these same vibrating waves of sound.

That is the theory upon which the science of numbers is based; that each figure is a symbol of a rate of sound vibration, and that sound vibration being repeated constantly, as in the name of an individual or a city or a word, causes actual physical results upon those things with which it comes in contact.

It would be extremely interesting to take some concrete examples of numerical values, for instance in an individual name, like the following (these calculations were obtained from an able student of the modern science of numbers): In finding the numerical value of a name, the letters of a name are added together, according to the number of each letter in the alphabet, and the total reduced to a single digit.

For instance, the name "MARY." The first letter "M" is the thirteenth letter in the alphabet—"A" is the first—"R" the eighteenth—"Y" the twenty-fifth. Adding these: 13, 1, 18, 25, we have a total of 57. 5 and 7, composing this number, are added, with the result 12. 1 and 2 (of 12)

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added, equal 3. If the name of the person is, say, MARY JONES SMITH, each name is treated in the same manner, reducing the letters of each name to a final figure, and these final figures (the numbers of each name) are again added together until one single digit is the result. And that digit is the number which the individual expresses in his or her life. Then, to find the inner hidden nature of the individual, the vowels of the various names are added together.

In using the birthday, the day, the month and the year are all added together until one digit is the result. That will show the path in life which the individual must travel in order to become successful. The month is figured by its place in the calendar—January being the first and December the twelfth; June is the sixth month.

Then, in the tables which have come down from very ancient times, of what each number signifies, is specifically given the mental qualities which invariably accompany the possession of any given number by an individual, and it is remarkable—almost startling—how accurately it works out for each person; that is, how accurately the final numbers describe the past actions, the present qualities and the future probabilities of the individual whose number has been discovered.*

The Cabala of the Jews is the name of their system of numbers, based on the same principle as that which was taught to the Greeks by Pythagoras. We can easily see that number belongs to no period of time, but must have originated at the beginning of all things. Each language in the world being different, its vibratory effect must necessarily also be different, which might possibly have to do with the differences in the various peoples of the world. It is a thought worth contemplating.

Without following further the theories of this belief, it must be borne in mind, as has been said, that the numerals up to 9 each represent some quality. They also geometrically apply. From the straight line *one* (1), similar lines, all of equal length, are added, 3 forming the triangle, 4 the

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square, and 5 a five-sided figure—a pentagon—and this is the symbol of man, because it is the first form which lends itself to the drawing within it of the figure of a man, which the reader can himself see if he draws a pentagon with five equal sides and places within, the head, arms, body and legs.

Five (5) then, symbolizes the figure of the man—just the body, without mental qualities—Man, with his five symbolical senses and his five fingers and toes to interpret his ideas, but without a sense of love, which comes with 6, or inspiration in art which comes with 7, or achievement and power and leadership and responsibility which comes with 8, or, finally, the power to tear down, destroy in order to rebuild on a higher plane, as in 9—and 9 being the last number and final, with 10 comes a new birth and a new beginning, but with man established in the world.

I hope that what I have set down may lend some color to the sombre columns of figures which professional accountants are constantly running up against and which they so easily reduce to informing expositions showing the financial condition of individuals and corporations, but which the ordinary layman usually regards with more or less aversion, estimating them to be dry as dust and full only of dreariness.

*Anyone caring to work this out will find, in the books published on the subject, the different qualities each number stands for.

EX RUSTICO FIT NITIDUS

By DONALD CORLEY

Fair August came afield today
A woman tall and sumptuous,
Marigolds adorn her tea-gold hair
Of sun-forged cloisenme bound with green
A presence neither grave nor mirthful
Yet smiling with an ancient mystery
And warmth of heart and contentedness. . . .
The lazy vagrant winds with heat-scarves play
And hedge-men crickets chant a noonday song.

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HOME RULE AND DIRECT PRIMARIES

By HON. JOHN F. HYLAN

PROPER city government is as necessary for the welfare of a country and the prosperity and happiness of its people as proper state or national government. This is especially true of the modern city, with its enormous and constantly-growing population whose needs of every-day life are rapidly increasing and whose demands for urban conveniences and luxuries are insistent.

We want the best government for the cities that we can get, but to secure it we must go farther than electing capable and intelligent and honest men and women to serve as municipal officials. We must clothe these officials with the power which will permit them to discharge properly their official responsibilities.

There are two cardinal points that should be observed in city government. One is that the government must have a policy adapted to the needs of the people governed; the other is that the people themselves, through their duly elected representatives, must decide what those needs shall be. That means self-government in the city without dictation on purely local affairs and functions on the part of the state government.

The importance of self-government for the city is apparent when we realize the importance of the city in its relation to the entire nation. The city is the center of civilization because it has become the center of population. This is especially true in America, where the growth of cities has been remarkable. In the last fifty years the urban population of the United States has expanded from 21 per cent of the total to 50 per cent of the total. In that half-century

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we have changed from the type of a rural democracy to the type of an urban republic.

With the growth of population fundamental changes have taken place in the city. Today the city has become an industrial and social unit with requirements often entirely distinct from the state and the nation. Local problems and conditions have arisen within its borders which no one living outside the city can fully appreciate or understand.

As the city grew and its needs grew, the doctrine of municipal autonomy increased. The idea of what came to be known as "home rule" became the demand of the majority. The essence of this demand centered on the point that in primarily local affairs the city should absolutely govern itself.

In many states this demand for home rule has been recognized and broad local powers have been granted either by constitutional amendment or statutory enactment. Among the first of the states to grant municipal home rule were Missouri, in 1875, and California, in 1879, and soon after thirteen states had largely increased the governing and administrative independence of their cities.

The complete adoption of the home-rule principle in our cities has, however, been delayed by the manipulations of self-seeking private corporations. These corporations have recognized that the city can be only as independent as the state will permit it. With the aid of their henchmen in public office, they have seen to it that a proper measure of self-governing power has been denied to the city. It is not surprising, therefore, that many of our municipalities have come more and more under the influence of these corporate interests even to the point of actual domination.

There is scarcely a large city in this country the municipal officials of which have not been obliged to wage an incessant battle against the corrupting and degrading influence of public service corporations that are determined to control the municipal government and the property of

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the people and to shape municipal governmental policies to suit their own ends. That has been the poisonous virus which has been permeating practically every one of our larger cities from the top to the bottom, and from the centre to the circumference.

In nearly all the large municipalities in this country the cities own and control the water supply, but the other utilities such as telephone, gas, electric light and power and transportation are, for the most part, under the direction of private interests which see to it that their concessions pay large dividends to the stockholders. These private interests have always been more interested in dividends than in the comfort and convenience of the public. This, despite the fact that the people of the city own the franchises. These franchises are virtually contracts.

A generation or two ago, when the cities and towns were much smaller than they are today, the practice of granting franchises was started. At that time the character of the franchise was not so important as at present, perpetual franchises often being granted by the legislatures to then existing utility companies.

Notwithstanding that the value of these franchises was constantly increasing, the old methods of giving them away practically free were continued. About thirty years ago the great value of these free gifts was beginning to be fully appreciated by the corporation interests, growing wise by experience. So we find securities being issued far above the actual value of the property.

In order to continue their hold on these grants, the big corporations went into politics. They wanted to have their city contracts renewed free of charge; they wanted to avoid taxes and regulations; they wanted to guard against competition, and, most important of all, to forestall municipal ownership.

How well these corporations have protected their private interests during the past years is seen in the huge values of the franchises which they still hold. In nearly all the cities

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with more than ten thousand inhabitants these values are greater than the city's debts; and in the City of New York the value of the franchises of public service corporations is roughly placed at a billion dollars.

In passing, it should be pointed out that if the legislature at Albany had not been so ready in the early days to toss perpetual franchises to public service monopolies, and the municipal officials of those days had not surrendered the city's rights and privileges or permitted them to be seized by private corporations, these rights, privileges and franchises would today be bringing millions of dollars into the treasury of the City of New York with all that this means in the way of a reduction of the tax burdens of the people.

While it may be safely stated that the tendency of American political theory is essentially democratic, it may be added that the practice would be equally democratic were its progress not halted and hampered in the cities by the control of the states.

The states at the present time are keeping the cities from advancing to their full development. The determination appears to be to keep the cities in complete subjection. This oppression by the states is, of course, resented and as a result a continuous warfare goes on between the states and their larger cities. The larger cities are the sources of the states' greatest revenue, the City of New York, for instance, paying about 70 per cent of the cost of the government of the state. The enormous municipal revenues are very convenient for employment in purely private and local needs of the many rural communities. Hence, rural legislators will not permit such cities to shift or throw off the state yoke. To make sure that the City of New York does not secure relief through its own legislators, care has been taken to prevent the city from having that proportionate representation in the legislature which its almost 60 per cent of the total state population rightly demands. And, so, the City of New York must forever knock as a suppliant

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upon the legislative gates for power and authority to act as a municipal corporation.

The condition of dependence of our cities upon the states for power to initiate and carry out programs of local improvements is one of the greatest barriers to municipal progress. Yet, effective and economical municipal administration is impossible of accomplishment without such power.

There is no denying the sovereignty of the state. Nor can it be denied that the local needs of a community are best known to the citizens of that community. The requirements to meet those needs, it will be admitted, are also best known to the local citizens by reason of experience and personal contact. The people of the city, therefore, have as much right to determine their own policies and administer their own affairs as the people of the state or nation have in their respective spheres.

Our local government exists for the fulfillment of local needs. It touches the lives of the people more intimately than does the national or state government. That is why we elect municipal officials to minister to those needs. These officials are elected in accordance with the prevailing public opinion and they are both responsive and responsible to the local electorate. The people control them and look to them for the protection of the public interests.

In the last mayoralty election in the City of New York more than 755,000 voters, representing in round numbers some two million families, chose certain agents to administer the public affairs and to guard the public welfare. It was in the belief that the popular will should be carried out that these public officers were elected.

But consider the anomalous position of the elected local officials of the City of New York—the Board of Estimate and Apportionment—who are accountable to the people of the city for the proper conduct of municipal affairs, but who are at the same time robbed of their powers and duties by legislative usurpation—all in the form of law.

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In the past two years minority special interests and their legislative tools at Albany have taken from the elected officials of this city the control of all public utilities, including the city-owned subways. A state-appointed commission has been empowered to say what rates of fare the people shall pay on the transit lines and on the subway lines, which were built and paid for by the people themselves. Not only this, but the residents of the City of New York must submit to the exactions which private monopolies may make for gas, electricity and telephone service because the control over these utilities has passed into the hands of another state-appointed commission.

The dilemma, therefore, facing the local officials of the City of New York is this: The people on the one side demand that the will of the electorate be made effective, while on the other hand the legislature has stripped or denied these officials necessary power faithfully to execute their trusts. As the control over the city's transit system and waterfront facilities, as well as public utilities, has been wrested from the duly elected local officials and invested in Albany-appointed agents, responsible to none, there are no official shoulders upon which the City of New York can directly place the responsibility for the mal-administration of these functions or the dissipation of the funds involved.

If the super-imposed state commissions badly administer the affairs of the people of the City of New York, there is nothing left for the people to do but to submit to it willingly or otherwise. If there be official dereliction upon the part of the Board of Estimate and Apportionment, it would mean that the offending local officials would be put to the sword of popular disfavor. No such check is placed upon the irresponsible Albany-appointed bodies, for their breath of life comes not from the people, nor is their right to function dependent upon the popular will.

If there is one undeniable fact, proved time and again in the cities of the United States, it is that an unrepresented and irresponsible external authority, superimposed upon

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the people of a city against their wishes and protest, has never demonstrated capacity, through lack of first-hand knowledge, or, possibly, for more ulterior reasons, to administer local affairs efficiently and economically and in the best interests of the people of the locality affected. This form of vicarious government has never been productive of good or effective municipal rule; on the contrary, it has opened the door to extravagance, inefficiency, the imposition of unwarranted burdens upon the backs of the people, and the creation of a spirit of unrest among the people by the flouting of the will of the majority.

The protest of the people against government for the benefit of private interests is not limited to the inhabitants of the City of New York. It is rapidly spreading throughout every city, town and village in the United States. This wave of democratic sentiment is coupled with a demand that national, state and local governments be freed from the domination of special influences, that there be an immediate end to the placing of irresponsible intermediaries between the people and their elected officials and that there be a prompt cessation of the subversion of government to serve private ends.

Now, realizing that these evils of outside and invisible governments are seriously handicapping the people of New York and other large cities, thinking men and women, who have the public welfare at heart, are giving serious consideration to every possible remedy.

One of the first remedies, as a primary condition of effective local government, should, of course, be home rule for the city. This, among other things, means the granting to duly elected local officials of the right to work out independently all strictly municipal problems, to meet every local need as it arises, and to carry out the responsibilities of their respective offices without legislative hamstringing or the obstruction of superfluous, super-imposed, state-created boards and commissions.

The idea of home rule is advocated by men and women

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in all political parties whose sense of public service rises above partisanship and who recognize that the basic American doctrine is that government derives its just powers from the consent of the governed. As a first essential the people should have a right to nominate as well as elect their own representatives, and this condition is possible of attainment through the direct primary.

The history of the direct primary leads through many years of political struggle. It began with a demand for a change from the corrupt political methods and had its origin in the rapid development of urban conditions and of political parties. Small groups of spoilsmen had obtained control of the cities and were serving their own selfish purposes in politics. One of the first demands was for the Australian ballot system, for the short ballot and for direct primaries.

For one hundred years no changes had been made in the nominating methods of the country, although the character of the country and the theories of government had radically changed in that period. But political fraud and corruption were becoming so flagrant that men in the two great parties demanded reform. Discussions in this direction began in 1860 and continued through the '70's and has continued on to the present time.

Following the Australian ballot law and the regulation providing for the election of delegates came the urgent demand for the people to choose their candidates directly. This demand became known as the direct primary movement. The new movement, however, made little progress until the close of the '90's, when Robert LaFollette strongly portrayed the evils of the old convention plan and advocated the benefits and advantages of the new system. In the dawn of the present century the idea had spread from one part of the country to the other, until today it is recognized by all thoughtful and honest voters as the proper method of selecting municipal and state officers and in some places

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it has been applied to Congressional selection and even to the Presidential.

The opponents of the direct primary have time and again sought to have its operation set aside by the courts, but the courts, in an almost universal series of decisions, have held that regulation of the primaries was within the authority of legislation.

There is no denying that the direct primary is democratic. It is a political weapon of defense which should never be wrested from the people.

If the people are accorded the privilege of voting for candidates and thus are acknowledged to have the common sense and intelligence necessary for the exercise of that right, it is an absurdity to say that this intelligence could not be exercised in the selection of the candidates for whom they are to vote.

If the voters of a political party may be entrusted with the choosing of delegates to a convention which delegates in turn choose the candidates, is it not reasonable to say that these voters have sufficient intelligence and discrimination to select the candidates in the first instance?

To make the popular will effective the right of nomination must go with the right of election. A corporation-dominated legislature of the State of New York apparently did not entertain this idea when, in the past two years, it practically nullified the direct primary law. This legislature decreed that delegates to a convention shall decide who shall be the party's candidate for state and judicial officers.

Whatever the defects and evils inherent in the direct primary law, that law was incomparably superior in its operation and more capable of securing a true expression of the will of the electorate than the old boss-ridden convention system of nominations, which has too often done violence to the fundamental principles of democracy.

The right of the people to rule over their own affairs is the foundation-stone upon which our representative system of American government has been erected. But so long

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as the cities of our states are constantly subjected to the onslaughts and incursions of the legislature under the prod of private influence, civic degeneracy, instead of advancement, must be the lamentable consequence. So long as the cities of our state are throttled and strangled by legislative strong-arm methods, municipal progress will be impossible of accomplishment. Not until our municipalities are given untrammeled freedom to work out their own destinies will there be genuinely representative government and the complete fulfillment of municipal purpose.

FUGITIVE

O fugitive from the body's carnivals,
The golden revolution blunders over you,
And rings its strong, bronze harmony through your being;
You draw the blinds to hide
Dishevelled midnight,
And the blind wind feels along your curtains
And fumbles darkly at the latch. . . .

O fugitive from the body's carnivals!
You will see all the gaunt trees stretched to God
Like pleading hands in one vast crying;
The sound of the wind in the leaves will be
Like silence in your ears and you will feel
The arm of loneliness stealing around you
Under the tattered cloak of the rain,
Till out of the dream of living,
Out of the mirage of sleep,
You have achieved the music of a dim snowfall on white marble . . . .
A singing oblivion
In a luminous wilderness of frost. . . . .

—Joshua Kopolov.

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THE FARMER AS A BANKER

By EARLE W. GAGE

THE generation-old dream of the American farmer will soon become a fact, indeed. Soon he will have paid back to Uncle Sam the last dollar of capital advanced to establish the twelve Federal Land Banks, serving the 4,108 co-operative national farm loan associations of the United States. The tiller of the soil will thus add banking to business, and have under his own control a system of finance capable of meeting the needs of agriculture, and which may well become the basis of an enlarged system answering short-term credit needs, as the Federal Farm Loan system presently, through these units, provides long-term loans on land and buildings.

Although co-operation has made immense strides in agricultural America in recent years, the establishment of the 4,108 co-operative national farm loan associations, serving practically every farm community and section of the country, outstretches any previous achievement in this direction.

Co-operation is in no sense a new idea, but it remained for the permanent establishment of the co-operative Federal Farm Loan system to give to the American farmer a co-operative agency national in extent and service. Prior to the advent of these associations and land banks, co-operation thrived only in limited areas and served farmers producing only specialized products, such as apples, cotton, oranges and tobacco. Thus, the present co-operative banking system of the American farmer stands as the first successful milestone of his united effort on a nation-wide basis.

Many have advised that the American farmer is incapable of team-work, yet he has builded this, the greatest of all co-operative institutions, in slightly over four years'

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actual operation of the system. He owns the stock and assumes all the liability on a co-operative basis, and has successfully answered the ancient financial problem of the tiller of the soil. Working together as one body, thousands of farmers have solved problems impossible of achievement on individual lines.

For many years prior to the establishment of the Federal Farm Loan system, it was apparent that, unless more means was provided to supply money for agricultural purposes, on a long-term, amortization plan, and at low interest, agricultural development in the United States would not only cease, but the whole industry would degenerate.

The farmer had hitherto been the ultimate goat, to whom the money lenders successfully passed the buck of high commissions and fat interest rates. Practically alone of all industrial leaders, the farmer was the only one who did not control the money he produced, and was forced, under the prevailing system of finance, which was in the hands of outside interests, to pay what was asked.

With this mill-stone about his neck, the farmer struggled on for the generation after the Civil War, farming becoming less and less profitable, and more and more discouraging, until in 1916, after every conceivable plan had been considered, Congress borrowed from Europe a plan, which had proven successful there, and attempted to so modify it as to meet the need of the American farmer. This plan, so modified, is known as the Federal Farm Loan Act, approved July 17, 1916.

Those who would aid the farmer to salvation in money matters well appreciated that in this, as in all other agricultural problems, it was a matter for the farmer to himself execute. To establish the system, a temporary board was appointed to officer each of the twelve Federal Land Banks, whose term of office should terminate upon the final payment into the treasury of the money advanced to the farmer to capitalize these banks.

When we consider that the American farmer owns an

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$80,000,000,000 enterprise, with a yearly business of more than $20,000,000,000, we soon appreciate that this tiller of the soil is a business man of no small means. And like all other business men, the farmer requires available finance, plenty of it, when he needs it, to carry on this great business of producing food and clothing.

When we look on the debit side of the farm ledger we discover that the 12,000,000 farmers have mortgages aggregating $8,000,000,000, and that the annual interest on these calls for a tribute of more than $600,000,000 a year or $50,000,000 per month. Statistics recently collected show us, that whereas, the city merchant, the broker and other business man, whose security is not as stable as that of the farmer, enjoyed interest rates of from four to six per cent., the farmers of the country, on the average, pay from eight to ten per cent. interest, and large commissions for their loans.

It is slight wonder that the co-operative Federal Farm Loan system has proved immensely popular everywhere, more especially in the high-interest, short-money sections, where it makes possible farm loans at six per cent., and with amortization repayment as low as one per cent. of the principal sum, over periods of from five to 33 years time. The former loan system meant that the farmer must repay the loan "out of himself," and that if he were to survive under its lash, he must reduce his standard of living, and that of his family. The co-operative loan permits this same farmer to repay the loan "out of the farm," its payments being so liberal and nominal, as to permit of repayment from crop proceeds.

Many have wondered that the American farmer, our greatest prime producer, has not long since become our capitalistic class. America is the only continent in the world with large agricultural holdings where the land-owning folk are not the capitalists. In Germany, in Great Britain, in Denmark, in France, and even in Japan, to own land is tantamount to having wealth; to be a farmer is to belong

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to the most powerful class in the country. Why is it that the American farmer, with this same agricultural leadership, does not likewise enjoy the same position as farmers of these foreign lands?

When we set about answering this question, we at once discover that we are in the center of one of the most perplexing problems of the hour; possibly the most vexing and complex of the many reconstruction problems facing the United States to-day; problems that have seriously menaced our agricultural industry ever since the close of the Civil War. We face the manifold problems of farm credits and farm markets. No class of business men in the United States pays a higher interest rate for the money he borrows than does the farmer, and he receives barely 40 per cent. of the market price of his produce when he disposes of it.

As America, as a continent, is no longer surrounded by the atmosphere of sweet and contented remoteness from the rest of the world, but must face a world audience in competition in all lines, so also, our greatest business man—the farmer—must compete with farmers of all other countries, not only in foreign markets, but also in our markets.

Farmers of Europe, because of their superior loan organizations, have for a generation been able to borrow money upon the same basis as commerce, business and industry; during the same period our American farmers have paid nearly twice as much, and then have been only inadequately financed.

The coming of the co-operative Federal Farm Loan system changed all this, and though millions of farmers yet remain outside the pale of its service, yet the system has not only saved millions in interest and commissions to its members and owners, but has opened a wide avenue of tremendous possibilities for the future. In slightly less than five years actual operation, under restricted administration, half a billion dollars of loans have been made upon the co-operative principle, and thousands of individual farmers

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had their business securely financed for a long period of years. Linked with the new era of co-operative marketing, the coming of the farmers' co-operative loan agency presents the one golden rainbow on the country's horizon.

At present, agriculture is on the decadence. I say decadence in the term that agriculture is not now a growingly popular industry. Right now there are two persons in the city and town to the one upon the soil. Our urban population has increased 34 per cent in the past decade. Our rural population has increased by 11 per cent. Ten per cent of our national population now reside in three of our large cities; 60 per cent live in small towns, and but 30 per cent reside out in the open country, upon our farms, and are producers of food and clothing. Yet, we meet men every now and then who say that they cannot see for the world why farming should not be the most profitable and enjoyable of industries. There must be some reason for the decadence of farming, and there is.

The unsatisfactory, haphazard marketing system, now in vogue, is one of the most discouraging items, while the eight billion dollar mortgage load the farmer carries seems to be the last straw.

The banker is educated in banking; the farmer is trained in farming. We can not expect that the banker will appreciate the vital needs of agriculture when he depends upon city trade for his greater business. Of the 7,613 National Banks, book records of 1,247 showed extortionate rates charged farmers for loans. These same banks, while charging the city merchant, manufacturer, store keeper, railroad operator and promoter anywhere from four to six per cent. interest, were at the same time charging the farmers they served anywhere from 18 to 60 per cent. interest.

The highest rates charged farmers were found in Texas, Oklahoma, North Dakota, Georgia and Alabama, although 12 per cent was considered very moderate in the Rocky Mountain section.

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In other words, if a farm boy wished to become a city merchant, he could go to the average bank and secure a loan at from 4 to 6 per cent. If, however, the same farm boy wished to become a farm operator, the banker looked with disfavor upon him, and charged him several times as much for the use of the same money. These statements are not manufactured to paint a pretty picture, but are taken from sworn statements filed by officials of these banks, with members of Congress who investigated the matter.

We need no longer, it would seem, wonder why it is that the modern farm boy goes to the city instead of remaining on the farm. For every dollar loaned on farms, six dollars are loaned on city real estate. For every $2.50 loaned on farm lands, $97.50 is loaned on factories.

The railroads of the country seem to believe they face a most grave future. All our railroads put together employ only 2,500,000 men—our farms employ 12,500,000. The railroads support 10,000,000 people; the farms 40,000,000, and feed not alone their own population, but the whole country, as well as millions abroad. Nevertheless, through the regular finance channels, our farmers can borrow only one dollar to the ten the railroads borrow.

It was lack of farm financial support at the close of the Civil War, and the resultant evils attached, that were responsible for the mad rush to the cities. Our agricultural industry has never overcome that handicap. At the close of every war in history, it has been noteworthy that money, ready liquid fluid, rushed to the aid of industry and commerce, leaving the farmer to trail his own flocks, pursue his plow, seed his field, harvest his crops, as he might. The farmer has been forced to shift for himself, and without an organization through which to meet his needs, or with which to equip himself to cope with existing conditions, agriculture suffered.

Just as there were selfish commercial and political interests that would have deprived the American farmer of this much-needed finance, when the Farm Loan Act was passed,

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so also now, as the farmer-owners of the co-operative Federal Farm Loan system are about to come into ownership and control of the system they have created, under government supervision, there is a minority who would defeat the farmer of the enjoyment of his business.

The war seems to have given a few in this and other countries a conception that a super-governmental state should be created for all things individual. First, some would have had the government own and run the railroads. It was well that the radical element did not prevail in that. Then, not content to permit the natural laws of supply and demand to dominate the price of farm produce, a set of radical leaders would have the government guarantee a fixed price on all farm produce. The sane and sound business farmer prevailed in that test, and the super-governmental plan passed into vapor.

Because the Federal Government, through its politically-appointed directors of the farmers' land banks, first engineered these banks, there is a minority who would continue this plan, despite the fact that the capital of the banks is owned by the farmer-borrowers, and the liabilities are all assumed by these farmers. Every farmer who has secured loan service through the Federal Farm Loan system has been legally forced to subscribe to capital stock in these banks, and assume the liability, with the promise that when he had paid back to the Federal Government the advanced capital of the banks, he would come into control and management of them. Of all the radical recommendations made in either America or Russia, the most unique is the one which would have the farmer capitalize a banking system, assume the liabilities, guarantee the bonds which make it possible, and then permit outsiders, especially political appointees, manage and dominate the system, rather than the farmer-owners.

During the period of the war, when the Government was selling war bonds, Farm Loan Bonds, bearing greater interest and enjoying greater confidence with investors, sold

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at higher prices, and Secretary McAdoo recommended in 1918, that Congress authorize the Secretary of the Treasury to purchase $200,000,000 of these farm bonds, to keep them out of the market, and give Liberty Bonds the right of way. This was authorized.

Now, because the Government still holds these $138,000,000 of bonds, worth more to-day, by the way, than the day the Government bought them, and upon which the farmers have promptly paid the interest, there is a small minority of politicians and free-thinkers who would have the Government continue to dominate the farmers' banking system until these bonds have been completely repaid. As they are for a term of 20 years, this would mean the farmer would be deprived for a period of sixteen years of property rights on his banking system, since his bank directors would be selected for him by a politically-appointed board.

* * *

Since to deprive the owners of any banking system of the fullest property rights and expressions would be unconstitutional, not to say un-American, and since farmers and others in this country do not care to have the Federal Government become banker and baker, but rather permit private capital and initiative to perform these fundamental acts, there seems slight justification for any belief that the radicals will win the day, and place the Federal Farm Loan system under political control.

THE COTTONWOOD

By HENRY BELLAMANN

Quivering day
Flooding out to the white rim of sky,
Quicksilver wash among the shadows;
Stillness crowding upon the house.
Outside the window, green leaves
Stir in their noon sleep
And—
Singing mirage of silence—
A sound of rain in a dusty land.

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AROUND THE EDITORIAL TABLE

SOME months ago the editor of THE FORUM called attention to the injustice that was being done Senator Truman H. Newberry with the result that there rolled into the office protests from a number of well-intentioned but ill-informed people who, without any particular knowledge of the facts in the case, felt that Senator Newberry represented something that was evil and therefore should be condemned. One attractive correspondent, to whom we took the trouble to write the facts, replied frankly, saying that he knew little about the law of the matter or the evidence, but inasmuch as Senator Newberry had opposed President Wilson, he felt that he was a bad man. It is this kind of reasoning that is at the base of most of the world's trouble to-day—pure emotionalism—and a lack of regard for clear thinking.

The present Secretary of State is a man who has, above all other qualities, the power of just and keen analysis and it is this characteristic that makes him at the present time the anchor to windward in our public affairs. His recent letter on the Newberry case, in which he shows that Senator Newberry has been most unjustly treated is, therefore, welcome, and if Secretary Hughes would take the trouble to go into some of the other problems that to-day are confusing the public mind we feel sure that he would gradually begin to straighten out some of our troubled statesmen and politicians as well as the people who are looking to them, without much success, for light and guidance.

* * *

Nothing emphasizes as sharply the chaotic mental condition at which we have arrived than the frequently heard statement that what the country needs is leadership. The more one hears this the more one wonders what has become of the brains of the country and why Senator Smoot worries about the decline in the number of sheep, when there are so many humans

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ready to take their place. What the country needs is clear thinking, brains and character, and what those who pitifully call for leadership are doing is blatantly admitting their own deficiencies in this regard and pitifully calling on someone else to supply the lack.

An incident in the Roosevelt Progressive campaign in 1912 gave us an insight into the point of view of many of our statesmen of to-day. That movement was supposed to be, and was, a revolt of men of ideas against stupid party bosses, but it naturally attracted, because of the magnetism of Roosevelt, many men of many minds. Among them was a prominent Tammany politician who had quarreled with his party. At the time we were an ardent admirer of the capabilities of Bainbridge Colby, then a leading Progressive and believed he should be nominated by the Progressives for Governor of New York State. In the course of an industrious personal canvass, we went to the former Tammany man and asked him whom he favored for Governor.

"I'm for the man the leaders favor," he answered, following the formula that he had grown accustomed to for years.

"But," we insisted, a little bit surprised to hear in this Temple of Purity the hackneyed catch words of machine politics, "you are one of the leaders and your decision will help settle the question."

"Yes," he replied, "but the big fellows will tell us who they intend to nominate."

"But, in this new party, everyone is to have a voice, and surely you have your own opinion."

"I have," he admitted boastfully, "but I am not going to say anything until 'they' pass the word."

"But, that is the old condition of things," we argued; "you are now one of those who make up the voice of the party, and you must express your own opinion."

"No," he insisted, "*they* will slip us the word in time."

The cry on the part of statesmen and politicians for a leader, the demand on the part of business men for leadership shows how thoroughly we are saturated with the old party system. Hundreds of the men who are cry-

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ing for leadership could be leaders if they only had the patience and were willing to take the trouble to think clearly and had the character and courage to express themselves forcefully instead of waiting for someone else to do their mental and spiritual leading for them.

* * *

When he comes back from Brazil, we hope that Secretary Hughes will have something to say about Senator Lodge, for here, too, there is an opportunity for clear thinking and vigorous expression.

There should not be the slightest doubt about his re-election for Henry Cabot Lodge has been one of the great men of the United States Senate, and if in the last year he has been unable to lead his party in the upper chamber, he was able to lead them in 1919 as ably as it has ever been marshalled. It is amusing to read diatribes against him in the very papers that for years talked of Lodge's scholarship and Lodge's intellect, because the editors differ with him on the matter of international affairs. Massachusetts has never been more ably represented than it has during the last six years by Senator Lodge. She will be false to her traditions if she does not give a great testimonial vote to the man who, when the country was confused as to its international policy, was in the front of the fight against the League of Nations and our embroiling ourselves in the European chaos.

If Senator Lodge did not inaugurate the fight as did Miles Poindexter, if he did not hit the same sledge hammer blows of Senators Borah and Johnson and George Moses, he was nevertheless the one who marshalled the party forces, who moved on with a due regard for public opinion and finally with great good temper and suavity of method acccomplished what President Wilson himself at his best considered an impossible achievement. It must be remembered also that Senator Lodge did this at a time when his party was divided. To Henry Cabot Lodge more than to any other individual the Republican party owes its great victory in 1922.

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DISCUSSIONS ABOUT BOOKS

*ROMANTIC CAREER OF A GREAT RAILROAD PRESIDENT**

I HAVE read the two volumes of this work twice. Each time I have been fascinated and the mental exhilaration that came to me cannot be adequately described in cold type. It is a story of adventure, of American courage—it portrays vividly in every line resolute, forceful American character, the heart and soul of a very real American. The volumes should be read by every American boy, every boy in college or just leaving college, every boy in public or high school or just leaving those schools to enter business or professional life. Every boy born of foreign parents should read them, every boy landing on our shores should grapple them—for they teach the American way, the only way that has made this country great in the eyes of all the world. Every college professor, financier, railroad executive, every railroad employee—even the humblest—every labor union leader, soap box orator, socialist, all sorts and conditions of our citizens should, if possible, read, mark, learn and mentally digest these two volumes. I wish I were wealthy enough to send them into every school, church, college, home in this great favored land of ours. They tell us what a poor boy even with a limited education, but with sound courage, persistence, force, keenness may accomplish in this same favored land of ours—may accomplish for himself, his family, his country, indeed for all the people. It is a wonderfully fascinating and truly engaging work. For my part I do not feel that I may differentiate between Mr. Harriman as the founder of the Boys' Club in New York or as the great railroad rehabilitator and reorganizer of the Illinois Central, Union Pacific, Central Pacific, Southern Pacific, and other vast enterprises. The Boys' Club gives us a humane picture of a very human man. Although born the son of a poor Episcopal clergyman at Hempstead, Long Island, Mr. Harriman was practically all his life a New York boy. He began business life at 14 at five dollars a week in a Wall street broker's office. Later when he had accumulated by energy, work, brains, a fortune of over a hundred millions, he said: "My capital when I began was a pencil and"—tapping his head. And during his 62 years of life he found ample time for fishing, club life, shooting, tennis, golf, the militia, boating, the theatre and opera; but he found no time for loafing, watching the clock or boozing. As a boy pupil at Trinity School he had encountered the rough street boys of Manhattan and had many a scrap with them, in which he more than held his own. Those scraps, when he began to get upon his financial feet,

*"E. H. Harriman," by George Kennan. Houghton-Mifflin Co.

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led him to believe he should do something for the boys of New York. In 1876 he enlisted the help of financial friends and opened the Tompkins Square Boys' Club, the first organization of the kind in the United States, if not in the world. All the members were of foreign parentage, although most of them had been born in the United States. Mr. Harriman was an accomplished athlete and boxer. In time there was a gymnasium for the boys, a swimming pool, a ball field was started and later Mr. Harriman became the pioneer of the boys' camps which now dot almost every State in the Union during the summer months. Libraries, concerts, musical training, dancing, amateur plays came along in due time to develop the artistic longings of the boys. In the forty-six years of the club's existence, it has, more or less, formed the tastes and moulded the character of about 250,000 street boys, and through them it has exerted an enlightening and ameliorating influence over the whole foreign-born population of the great East Side of New York. "If you're president of railroads people say you're a bad man," said James Fioldo, fifteen years of age, a member of The Boys' Club, in the New York *Herald* several years ago, and he added: "They say things like that about Mr. Harriman, but we know they ain't true. If they were he wouldn't treat us boys the way he does. Nobody makes him—he just does it himself." Moulding the characters of 250,000 boys! Which was Mr. Harriman's greater usefulness as an American citizen? Starting these 250,000 boys aright so that they could have the education, the gimp, the sand, to bear life's burdens and to confront life's problems and obstacles? The evening I read about Mr. Harriman's Boys' School I strolled out for a breath of fresh air. At a corner, yawping, yawping, yawping, was a soap box spouter, yawping alleged economic and social tenets which would have wrecked those 250,000 East Side boys. "Yawp your head off, you confounded fool," thought I; "those 250,000 boys are like a Niagara of American sense against your flapdoodle." Who may estimate the value to all the races making up this nation of Mr. Harriman's work as the organizer of that Boys' Club? Who may value its future work?

And Mr. Harriman's work as a railroad executive? Well, through the building up of his railroads he developed billions and billions of dollars of farm and other investment values in that mighty empire adjacent to and beyond the Father of Waters. One citation of Mr. Harriman's work may suffice for all. I am quoting Howard Elliott, himself a great railroad executive, in his "The Truth About the Railroads." Mr. Elliott wrote:

"Mr. Harriman found the Union Pacific insolvent, dismembered, decrepit, its sources of revenue curtailed, without important alliances, friendless. He left it financially powerful, its severed members restored, its roadbed and equipment renewed and of the highest type, dominating traffic conditions in a wide territory and with alliances and influence extending

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from the Atlantic to the farther shore of the Pacific, from the Gulf of Mexico to the Great Lakes and even across the Canadian frontier. The property which had seemed to his predecessors to be fit for nothing more than to be a continuous object and means of political and financial intrigue, he transformed into a wealth-creating and disseminating machine of the highest efficiency. The transportation-buying public, those who travel and those who ship, has seen efficiency of the highest degree substituted for inefficiency of the lowest order; the Federal Government has collected millions which seemed hopelessly lost; and shareholders have received gratifying returns upon their investments. Rates have been lowered and wages raised, traffic has multiplied, and the region served has acquired prosperity without precedent. To Mr. Harriman, more than to any other single agency, is due the fact that, to an extent unknown before,

'Through the veins
Of that vast empire flows, in
Strengthening tides,
Trade, the calm health of nations!' "

The comments of Mr. Kennan on the late President Roosevelt, Professor Ripley and the Interstate Commerce Commission of that contemporaneous time in the controversy with Mr. Harriman may not be agreeable reading to the friends of those interested either as to politics or a railroad investigating matter. —EDWARD G. RIGGS.

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*THE BUILDING OF AN ARMY**

HOW a force of a hundred thousand men became three million; how raw, untrained, human material was procured, assembled and moulded into a formidable weapon of war; how this was done in less than twenty months is the interesting—nay, almost miraculous—tale told by Dr. Dickinson in his recent book, "The Building of An Army."

While the volume will captivate and instruct the military man, it should prove almost equally fascinating to the layman. Free from technicalities, written in every-day English, the reader is carried swiftly along through the mass of discussions, addresses, debates and investigations that resulted in the formation of the American Expeditionary Force. It is a detailed account of the whipping together of one of the greatest military organizations of all time.

Dr. Dickinson prefaces his account by showing the need for a settled army policy. So long as the country is faced with foreign relations, with the duty of protecting its citizens and their interests abroad, with the maintenance of order at home, it is compelled to recognize in its army a

*"The Building of An Army," by John Dickinson. The Century Company.

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real requirement. But the questions of its size and how it shall be constituted are as continuous and debatable, Dr. Dickinson says, as the National life itself. He gives the opinion of members of Congress, Administrative officials, military experts, and public persons who speak for important groups. While not attempting to solve so complex a problem, he supplies the rank militarist, the ardent pacifist, as well as the mere student of disarmament, with abundant materials and arguments for each to support the cause that haunts the corridors of his heart's desire.

"The Building of An Army" is timely. It is authoritative. It could not well have been written sooner and be kept free from bias. Neither could certain sources of information have been tapped for data not easily obtainable when hatred and envy still rule. The book is a valuable addition to The Century New World Series. ARTHUR A. CROSBY.

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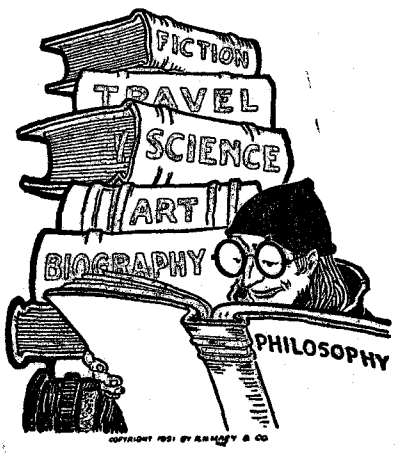
*A PLEA FOR ITALY**

THE War and the Peace Conference brought out more clearly than anything else the misunderstanding that has existed between the United States and Italy during the last few years. That such a misunderstanding should exist is unfortunate and doubly so when it is realized that Italy's greatest desire nationally and privately, was to secure our friendship.

*"Immortal Italy," by Edgar Mowrer. D. Appleton & Co.

R. H. Macy & Co. Inc.
Herald Square New York



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Cut off from outside communications by the War, neglected by her Allies who disliked her for what they termed her shiftiness and her double-dealings, Italy remained aloof for the first three years of the War, suffering and in great need. Then came American participation and aid, American food, American Red Cross, and last but not least, American sympathy. All the gratefulness and thanks of a nation that knows how to be grateful was poured out to us and the United States had obtained a friend to do with as she wished.

Then came the Armistice followed by the assembly of the Peace Conference in Paris and the visit of Wilson to Rome. The fever-pitch of enthusiasm was at its height and Italy paid the representative of the United States the highest honors it could heap upon a single man. Into this demonstration of one nation toward another Italy had thrown her all —her chivalry, her gratitude and above all, her friendship, and when she saw that it was not returned and that her representatives in Paris were being neglected and spurned, the inevitable reaction occurred. Love turned to hate, gratitude to cold disdain.

Mr. Mowrer, who has lived in Italy throughout the War as a Correspondent for a Chicago newspaper, and has learned to know and love the Italian people, has tried to remove the misunderstanding in his "Immortal Italy." The ambition of the author is that the American and Italian peoples might be drawn together in ties of friendship by mutual understanding and he feels that the best way to arrive at such a friendship is by telling the one nation as much about the other as will easily be understood.

It is a great object and one that is worthy of success.

—RONALD TREE.

CONTRIBUTORS' COLUMN

DR. KARL HELFFERICH, German Minister of State, was Vice Chancellor and Financial Minister in Germany during the war and previous to that time was President of the Deutsche Bank. He is the author of several books on economics.

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HON. HENRY CABOT LODGE, United States Senator from Massachusetts, is the Republican leader in the Senate. He is the author of "Life and Letters of George Cabot," "Short History of the English Colonies," "Life of Alexander Hamilton," "Life of Daniel Webster," "Hero Tales of American History," etc.

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HON. JOHN F. HYLAN, Mayor of the City of New York, OTTO H. KAHN, WAYNE B. WHEELER, MATTHEW WOLL and GEORGE SANTAYANA have contributed to previous issues of THE FORUM.

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